

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.984 of 2013

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Ram Sewak Prasad, S/o Late Ram Dihar Mahto, R/o Village-Nanahi (Koiri Bigaha), P.S.- Kako, District- Jehanabad, at present residing in Vivek Bihar, Road No. 1 North Hanuman Nagar, P.O.- Lohiya Nagar, P.S.- Patrakar Nagar, District- Patna

.... Petitioner

Versus

1. The State of Bihar through the Director, Primary Education, Human Resources Department, Bihar, Patna
2. The District Education Officer, Arbal cum Jehanabad
3. The District Provident Fund Officer, Jahanabad
4. The District Programme Officer, Jahanabad
5. The Accountant General, Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Bharat Lal, Advocate
For the Respondent/s : Mr. Amaresh Kumar, AC to GP-21
For the Respondent-AG : Mr. Ram Kinkar Choubey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 10-01-2017

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Accountant General.

2. In the present writ petition the petitioner has prayed for a direction to be issued to the respondents to pay Rs. 35,780.07 of provident fund and Rs. 1,000.00 of gratuity amount with interest.

3. It has been contended that the petitioner retired as Headmaster of Middle School, Kochhasa, Jehanabad. At the time of retirement the entire amount of GPF and gratuity were not paid to the petitioner.



4. On the other hand, learned counsel for the State has submitted that the entire amount of GPF with interest accrued thereon including the benefit of statutory interest for delayed period has already been authorized long back in the year 1999 for payment and no amount is left due for payment.

5. I have heard learned counsel for the parties and perused the record.

6. Admittedly, the petitioner retired in the year 1998 and the writ petition has been filed after fifteen years from the date of retirement. The claim of the petitioner is being disputed by the State by filing affidavit before the Court. Since the petitioner has approached this Court after long delay of 15 years, the writ application is dismissed on the principle of delay and laches.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	-----
Uploading Date	16.01.2017
Transmission Date	NAFR

