IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7399 of 2016

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1. Most. Bimla Paswan, Widow of Late Arjun Paswan the deceased petitioner.
2. Rajiv Ranjan.
3. Rakesh Ranjan
   Boths Sons of Late Arjun Paswan, the deceased. All residents of Village/Mohalla- Paroha, P.S.- Manpur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. Joint Secretary, Road Construction Department, Government of Bihar, Patna.
4. Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna.
5. Director, General Provident Fund, Bihar, Patna.
6. Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr. Advocate Mr. Ritesh Kumar and Mr. Pramod Kumar, Advocates
For the State	:	Mr. Amit Prakash, G.P. 6

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 07-12-2017

Heard learned counsel for the petitioners and the State.

2. In view of the statements made in the supplementary counter affidavit filed on behalf of respondent no. 5 as well as supplementary counter affidavit filed on behalf of respondents no. 1 to 4, the Court finds that the admissible dues of the deceased employee stands paid.

3. However, learned counsel for the petitioners submitted that there is still less payment of G.P.F.

4. Learned counsel for the State submitted that they have

enclosed the detailed calculation chart with regard to payment of G.P.F. and from the same, the payment already made is the correct amount admissible.

5. Having regard to the fact that a detailed calculation chart has been enclosed, the Court has no reason to believe otherwise. Moreover, even the petitioner has only given a bald final statement and figure without enclosing any chart made by him. In absence of the same, the Court, in a writ proceeding, cannot go into the calculation aspect. Since the detailed chart has already been enclosed and there is statement on oath with regard to payment of the remaining dues, the writ petition stands disposed off.

6. However, if the petitioners are able to prepare a detailed calculation chart, which indicates that there has been less payment on any head, they shall be at liberty to file representation before the respondent no. 5. If the same is filed, the respondent no. 5 shall consider it and pass a reasoned order thereupon. If it transpires that any further payment is to be made, the same shall also be done within one month from the date of passing of the order by respondent no. 5.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
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