IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1030 of 2016
In
Civil Writ Jurisdiction Case No.2315 of 2013

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Most. Prabhawati, Wife of Late Sudhir Kumar, R/o village - Dharseni, P.O. Kutaut, P.S. Barbigha, District - Sheikhpura, Presently resident of Maa Jagdamba Silai Centre, Thana Road, Vllage - Barahiya, Ward No.18, P.S. Barahiya, Distrct – Lakhisarai.

... ... Appellant/s

Versus

1. The State of Bihar through the Director, Provident Fund, Directorate, Department of Finance, Government of Bihar.
2. The Director, Provident Fund Directorate, Department of Finance, Govt. of Bihar, Patna.
3. The Collector, Lakhisarai.
4. The District Provident Fund Officer, Munger.
5. The Block Development Officer, Barahiya, District – Lakhisarai.
6. The Collector, Begusara.
7. The Block Development Officer, Ballua, Distrct – Begusarai.
8. The Collector, Jamui.
9. The Block Development Officer, Sikandara, District - Jamui
10. The Collector, Khagaria
11. The Block Development officer, Chautham, District - Jamui
12. The Block Development Officer, Lakhisarai, District - Lakhisarai
13. The Collector, Munger
14. The Block Development Officer, Munger Block, District - Munger
15. The Accounts officer, District Provident Fund Office, Munger.
16. The Accountant General, Bihar, Veerchand Patel, Marg, Patna 800 001

... ... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Prabhat Kumar, Advocate
For the Respondent/s	:	Mr. Sushil Kumar Singh, AC to AAG 10

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-01-2018

Seeking exception to an order passed on 23.10.2013 in CWJC No.2315 of 2013, in the matter of settlement of GPF amount of the appellant’s father-in- law, who retired from service in the year

1992, the writ petition was filed after a period of more than 21 years in the year 2013.

From the counter affidavit filed by the State Government in the writ petition we find that the entire provident fund claim of the employee was settled during his life time. There was some dispute with regard to deduction for the period from 19.09.1959 to 31.07.1961. During the life time of the employee, the dispute was not raised within the reasonable period. When the appellant raised the dispute after 21 years, the Department indicated that no records were available and there is no proof with regard to deduction from the salary of the aforesaid period and the appellant was also unable to demonstrate the deduction made for the aforesaid period.

Faced with all these situations, the Writ Court has not interfered into the matter after a period of 21 years and we see no error in doing so. The appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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