

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7395 of 2019

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Arbind Kumar Sinha Son of Late Lalan Prasad Sinha Resident of Mohalla-
M.I. Lane Pathar Gali Saristabad, P.S.-Gardanibadh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Road Construction Department Bihar, Patna
Vishveshraiya Bhawan, Baily Road, Patna.
3. The Engineer in Chief, Road Construction Department Bihar, Patna,
Vishveshraiya Bhawan Baily Road, Patna.
4. The Superintending Engineer, Road Construction, Department, Bihar, Patna,
Vishveshraiya Bhawan, Baily Road, Patna.
5. The Executive Engineer National High Way Division Gulzarbagh, Patna
behind Police Radio, Rajbanshi Nagar, P.S.-Shastri Nagar, Patna.
6. The Treasury Officer, Vishveshraiya Bhawan, Baily Road, Patna.
7. The General Provident Fund Officer Paant Bhawan, Patna.
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Sinha
For the Respondent/s	:	Mr.Raj Ballav Prasad Yadav (Aag11)
	:	Archana
For A.G.	:	Manish Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 08-07-2019 The present writ petition has been filed for quashing

the order of recovery which has been directed to be made from

the pension and gratuity amount of the petitioner herein vide

order dated 20.02.2019 contained in memo no. 341 as also

payment of a part of G.P.F. amount which pertains to the period

08.04.1981 to 30.06.1983.

The learned counsel appearing for the

respondent- State submits that the respondents are not seeking



to enforce the aforesaid order of recovery dated 20.02.2019, hence to the said extent, the petitioner should not have any grievance, any more.

This Court appreciates the fair approach of the respondent- State and declares that since the respondents are not seeking to recover any amount, the aforesaid order dated 20.02.2019 stands null and void.

As far as the G.P.F. amount for the period 08.04.1981 to 30.06.1983 is concerned, the respondent- State has stated in its counter affidavit that the same pertains to the period when the petitioner was working with the work charge establishment under the National Highway, Dehri Division and a request has already been made to the Executive Engineer, National Highway Division, Gulzarbagh, Patna for taking necessary action.

In view of the aforesaid submission made by the learned counsel appearing for the respondent- State, I deem it fit and appropriate to direct for release of the balance amount of G.P.F. payable to the petitioner herein within a period of 08 weeks from the date of receipt/ production of a copy of this order, failing which the Executive Engineer, National Highway Division, Gulzarbagh, Patna shall not draw his salary. This Court would also take penal action for non-compliance of its



order. It goes without saying that the outstanding amount of pension/ gratuity, which has already been sanctioned and sent to the Treasury Officer, Vishveshraiya Bhawan, Baily Road, Patna, shall also be paid to the petitioner herein within a period of 08 weeks from the date of receipt/ production of a copy of this order, failing which the said Treasury Officer shall not draw his salary.

The present writ petition stands disposed off with the aforesaid directions.

(Mohit Kumar Shah, J)

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