IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3659 of 2018

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Satya Narayan Prasad Son of Harihar Prasad, resident of Village- Nepura, Police Station Asthawan, District- Nalanda.

... ... Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Health Department, Govt. of Bihar, Patna.
3. The Accountant General, (A &E) Patna, Bihar.
4. The Civil Surgeon, Gaya District- Gaya.
5. The District Provident Officer, Gaya.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Rabindra Prasad Singh
For the Respondent/s : Mr.Ramadhar Singh- GP25

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 20-05-2019 Matter has been listed today in the summer vacations as learned counsel for the petitioner was desirous for consideration of his case during vacation.

The slip for listing was filed pursuant to notice dated 08th May, 2019, published prior to the vacation.

The matter is, accordingly, taken up for consideration as both parties are present and willing to assist the court for disposal of the matter.

Heard counsel for the petitioner and counsel for the respondents-State.

Dues of the petitioner on account of GPF are in issue in the instant proceeding. Petitioner was an assistant and retired from service on 31.01.1999.

About 20 years is not enough for the respondents to ensure payment of due and admissible amount on account of GPF to the petitioner. Even in these proceedings stand is being taken that statement of deduction made on account of provident fund has not been sent by In-charge, Medical officer, Khaira,Jamui. Civil Surgeon office at Siwan is not able to quantify due and admissible amount on account of GPF. Similar is the position of Accountant General, Bihar, for deduction in respect of GPF for the period 1961-62, 1981-82.

Upon transfer of the work of maintenance of provident fund from the office of Accountant General to State of Bihar, it is now duty of the State of Bihar to ascertain the dues on account of GPF admissible to the petitioner. It is rather shocking that even till date after 20 years of retirement of the petitioner, admitted position on record is that respondents have not completed the exercise of ascertaining due and admissible amount on account of GPF payable to the petitioner. No adjudication is required to be done as respondents themselves have to gather information from their own offices and make payment to the petitioner who is now a senior citizen aged more than 78 years.

Writ petition in these circumstances need not be kept pending. Due and admissible amount on account of GPF be paid to the petitioner by respondents-authorities within a period of eight weeks from the date of receipt/production of a copy of this order. Any delay thereafter shall carry interest of 12% per annum in favour of the petitioner.

With these observations/directions, writ petition is disposed off.

s.hassan/-

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(Madhuresh Prasad, J)