

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.419 of 2017

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Ashok Kumar Singh S/o Late Mahesh Prasad Singh, resident of Mohalla - Saristabad, Jaya Apartment, Block - C, Flat No. 401, P.S. Gardanibag, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Executive Engineer, Irrigation, Pramandal, Bijikhorwa Banka
3. Director, Provident Fund, Pantvawan, Patna
4. District Provident Fund Officer, Banka
5. District Provident Fund Officer, Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh
For the Respondent/s : Mr.Binay Kr. Pandey, AC to GA2

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 17-04-2019

Heard learned counsel for the petitioner and learned
AC to GA 2.

Prayer of the petitioner is for direction to the respondents to pay provident fund amount to the petitioner who retired on 30.9.2010 as S.D.O./ Assistant Engineer from Bijikhorwa Sichai Subdivision, Banka.

It is categorical stand of the petitioner that although no departmental proceeding is pending against him, in spite of claim, the amount of GPF has not been paid to him and office of the Executive Engineer, Banka has not taken any step in this regard.



Counter affidavit has been filed on behalf of respondent no. 5 and a separate counter affidavit has been filed on behalf of respondent nos. 1 and 2. The stands of respondent Nos. 1 and 2, in their counter affidavit is that so far as payment of G.P.F. amount of the petitioner is concerned, final withdrawal was sanctioned by the departmental letter No. 476 dated 8.5.2012 and the Director, Provident Fund, Patna was requested to issue authority slip for payment of the said amount. It is further stated that statement of G.P.F. deduction for the period mentioned in the counter affidavit has not been made available to the petitioner and the petitioner was requested vide department letter No. 348 dated 2.3.2017 to make available statement of G.P.F. deduction. It was further stated that Superintending Engineer through Executive Engineer of the concerned division, where petitioner was posted during his service tenure, had written a letter asking them to make available statement of G.P.F. deduction of the petitioner so that the same could be sent to the District Provident Fund Officer, Bhagalpur for issuance of his authority slip. These details still have not been received and as soon as they are received from the aforesaid offices, payment will be made immediately.

Having heard the counsel for the parties, this writ application is disposed of with direction to the Executive Engineer,



Irrigation Department, Parmandal Bijikhorwa, Banka (respondent No. 2) to obtain details of the G.P.F. deduction with respect to the petitioner from the places petitioner was posted and make payment of his entire amount of provident fund dues along with statutory interest within a period of three months from the date of receipt/production of a copy of this order.

It is further made clear that the concerned Superintending Engineer/Executive Engineer to whom respondent No. 2 has written letter will co-operate in the matter and without any delay will make available the G.P.F. deduction with respect to the petitioner, for the period that he was posted under their circle/division.

Writ application stands disposed of with the aforesaid observations and directions.

(Partha Sarthy, J)

s.hassan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.4.2019
Transmission Date	NA

