

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 711 of 2017

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Hari Narayan Tiwary, Son of Late Janki Tiwary, Resident of Village and P.O. -
Belhi Khas, P.S. - Kateya, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Gopalganj
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. Block Education Officer, Vijaipur, P.O. and P.S. - Vijaipur, District - Gopalganj.
5. The Accountant General, Bihar, Bir Chand Patel Path, Patna.

... .. Respondent/s

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For the Petitioner/s	:	M/s Rajesh Kr Sharma, Bipin Bihari Singh, Advs
For the S t a t e	:	Mr Nishant Kr Jha, AC to SC XXVIII
For Accountant General	:	Ms Nivedita Nirvikar, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 20-05-2019 Matter has been listed today in the Summer Vacations

as the 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.

Matter is, accordingly, taken up for consideration as

both parties are present and willing to assist the Court for

disposal of the matter.

Heard the parties.

Parties are in agreement that the pension, gratuity of

the petitioner have been paid. It is submitted that dues under the

head General Provident Fund (for brevity, *GPF*) and Life



Insurance Corporation (for brevity, *LIC*) have not been paid as petitioner has not submitted the documents which were requested from by Communication dated 30.11.2016 issued by the District Programme Officer (Establishment), Gopalganj. The Communication is Annexure 8 to the writ petition.

The admitted position is that the petitioner is not the custodian of the service book. The documents relating to petitioner's transfer are also to be with the respondent-authorities. In the circumstances, the issue has to be sorted out by the respondent-authorities on the basis of the documents available in their own offices.

In the said circumstances, since the dues have to be paid on account of GPF and LIC to the extent admissible on the basis of documents available in the office, it is admitted that the writ petition can be disposed of with the direction to the respondent-authorities to complete the process within a prescribed period.

In the circumstances, the writ petition is disposed of.

Respondent-authorities will be obliged to work out the admissible dues on account of GPF and LIC on the basis of documents available in the office.

Petitioner to give his inputs on account of his leave



availed by him during his service within four weeks from today as the said issue, which has been requisitioned under Communication dated 30.11.2016, is to be provided by the petitioner himself.

Let the dues of the petitioner be worked out by the respondent-authorities within a period of three months from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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