IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11063 of 2017

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Shashi Bhushan Kumar, Son of Late Shivnarain Singh, Resident of Village - Saidbarhi, P.S.- Chandi, District- Nalanda at present, Adars Bihar Road No. 1, South Ram Krishna Nagar, P.O.- New Jaganpura, Patna- 27.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. Director, Provident Fund Provident Fund Directorate, Pant Bhawan, Patna.
4. Assistant Director, Provident Fund, Pant Bhawan, Patna.
5. District Provident Fund Officer, Saharsa.
6. District Provident Fund Officer, Samastipur.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Birendra Nath Mishra
For the Respondent/s : Mr.Anjani Kumar- Aag4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL JUDGMENT
Date : 15-05-2019

Heard learned counsel for the parties.

The petitioner has filed the present writ application seeking payment of G.P.F. and M.A.C.P. amount due to the petitioner. The petitioner has retired as Junior Engineer from Water Resources Department, Government of Bihar on 31.10.2015.

Learned counsel appearing on behalf of the respondent nos. 3 to 6 submits that in the counter affidavit filed by the respondents at para-9 specific statement has been made that vide authority letter No. 1453 dated 11.10.2017, a sum of Rs.

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8,69,355/- along with up-to-date interest thereon has already been paid to the petitioner.

Learned counsel for the petitioner does not dispute the statement and accepts that amount has been received by him. However, he submits that calculation has not been provided to him as to how the respondents have arrived at this figure.

Learned counsel for the respondents further took this Court to a counter affidavit filed on behalf of the respondent no. 2 and referring to para-10 of the same, he has submitted that grant of MACP to the petitioner is under consideration and the proposal for grant of same shall be placed before the Departmental Screening Committee for consideration.

After having heard learned counsels for the parties, this writ application is disposed with a direction to the respondents to provide a detailed calculation towards the G.P.F. amount as well as giving liberty to the petitioner to file a representation, after receipt of the calculation, if he is not satisfied with the calculation, before the competent authority and in case, such representation is filed by the petitioner, the same shall be disposed by the concerned authority within a period of four weeks from the date of receipt of that representation.

In so far as the grant of M.A.C.P. benefit is concerned,

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since the respondents have agreed that the case of the petitioner is under consideration, they are directed to take a firm decision within a period of three months from the date of receipt/production of a copy of this order.

(Anil Kumar Sinha, J)

sujit/-

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