

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1364 of 2019

Rukman Singh Thakur S/o Late Shri Mochan Singh Thakur, Aged About 62 Years, R/o Dipupara, Chowk, Tarbahar, Bilaspur Chhattisgarh.

---Petitioner

**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Water Resource Department, Mantralaya, Atal Nagar, Naya Raipur, Raipur Chhattisgarh.
2. Executive Engineer, Water Resource Department, Division Number 02, Balodabazar District Balodabazar Bhatapara, Chhattisgarh.
3. Deputy Director, Hydrometeorology, Division No. 04, Raipur, District Raipur, Chhattisgarh.
4. The Union Of India, Through Accountant General, Zero Point, Balodabazar Road, District Raipur, Chhattisgarh.

---Respondents

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|----------------|---|---------------------------------|
| For petitioner | : | Shri Mateen Siddiqui, Advocate. |
| For resp.No.4  | : | Shri Rajkumar Gupta, Advocate.  |
| For State      | : | Shri Rahul Mishra, Dy.G.A.      |

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Hon'ble Shri Justice P. Sam Koshy

Order on Board

27/02/2019

1. The dispute in the present Writ Petition is of the G.P.F. amount payable to the petitioner.
2. The petitioner in the instant case was working as an "Assistant Engineer" in the Water Resources Department retired on 31/07/2018. On his retirement, the respondents have issued an order showing that in the petitioner's G.P.F. account, there is a negative balance of Rs.2,44,792/-. According to the petitioner, this negative balance is an incorrect order which has been issued by the department whereas the petitioner has enclosed a

document which shows the details of the G.P.F. account of the petitioner and the periodical withdrawals that have been made from the same and which has been issued by the employer i.e. by the office of the respondent No.3 showing that on the date of retirement i.e. for the year 2018-19, there was a credit balance in the account of the petitioner to the tune of Rs.5,75,394/-.

3. The contention of the counsel for the petitioner is that, in all probability, the respondents have erroneously passed the said order as there is another officer in the department who has also retired in the year 2016 and whose name also was R.S.Thakur like the present petitioner and in all probability, the said negative balance could be in respect of the said officer which needs verification. Though, the counsel for the petitioner also submits that, the account number of the two employees also is the same which is hard to accept though there can be a possibility of the entries getting mixed up with the G.P.F. account of the petitioner with the officer of the same name.

4. Given the aforesaid factual matrix of the case this Court is of the opinion that, no fruitful purpose would be served in keeping the Writ Petition pending, rather ends of justice would meet if the Writ Petition is disposed off with a direction to the respondents No. 2 & 3 to sit together and tally the G.P.F. account of the petitioner and for the purpose of tallying the petitioner may also be called upon by the respondent No.4 and the petitioner also would have the liberty of producing all the documents that he has in his possession in respect of his G.P.F. account and the details of the deductions if any that is made from his G.P.F. account. After thorough scrutiny of the

same, let the respondent No.1 pass a fresh order so far as the G.P.F. amount payable to the petitioner is concerned.

5. Let this exercise be concluded within a period of 90 days from the date of receipt of copy of this order.
6. Meanwhile, it is ordered that the impugned order dated 30/11/2018 i.e. the order showing negative balance in the G.P.F. account of the petitioner should not be acted upon.
7. The Writ Petition accordingly stands disposed off.

Sd/-

**(P. Sam Koshy)**  
**JUDGE**

Sumit