

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4793 of 2019**

Ibrahim Khan S/o Late Shri Aladad Khan Aged About 70 Years Khan Colony, 5/253/ Khan Homes, Chindwada, Madhya Pradesh.- 48001.,
District : Chhindwara, Madhya Pradesh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Water Resource Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Chief Engineer Water Resource Department, Raipur, Sihawa Bhawan, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Accountant General (Accounts Department) Zero Point, Balodabazar Road, Post Office, Mandhar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Executive Engineer Water Resource Department, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ishan Verma, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. AG
For Union of India	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01/07/2019**

1. The dispute in the instant case is that of non settlement of GPF dues payable to the petitioner in spite of the fact that petitioner has retired about 11 years back.
2. Case of the petitioner is that he has retired from service of the respondent No. 1 & 2 w.e.f. 31.05.2008. The petitioner retired on the post of Executive Engineer. According to the petitioner though 11 years have passed till date he has not received any amount from his

GPF account. Counsel for the petitioner submits that only reason assigned by the respondent for not releasing the GPF amount is the alleged withdrawals made by the petitioner in October, 1997 for an amount of Rs. 6000/-, in December, 1997 for an amount of Rs. 38,000/- and again in February, 1998 for an amount of Rs. 38,000/- totalling Rs. 82,000/-.

3. According to the petitioner he has not made any application for withdrawals to be made from GPF account during the said period , neither there is any records with the respondents as is evident from Annexure (P-4) as well as Annexure (P-6) issued by the office of the Executive Engineer from the department where the petitioner had been posted.
4. Given the aforesaid factual matrix of the case as is revealed from Annexure (P-4) & Annexure (P-6), this Court is of the opinion that dispute raised by the petitioner can be resolved by a physical verification of the GPF account of the petitioner i.e. maintained with the respondent No. 3.
5. Let respondent No. 3 accordingly call upon the petitioner in person as also respondent No. 4 from where the petitioner retired from service and direct both these authorities to submit all the relevant records that they have in respect of GPF account. That after due verification of the facts in the presence of petitioner, let an appropriate order be passed by the respondent No. 3 in this regard with intimation given to the petitioner. Let this exercise be completed within a period of four months from the date of receipt of copy of this order. It shall be the responsibility of petitioner to apprise respondent No. 3 & 4 so far as the order passed by this Court is concerned.

6. Needless to mention, in case if there is any amount found payable to the petitioner, the said amount shall carry interest at the rate i.e. applicable in the concerned provident fund account from the date of retirement till the date of payment.
7. With the aforesaid observation, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit