

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1903 of 2019

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Ram Prasad Mishra, son of late Brahmdatta Mishra, resident of Mohalla-
Panchaitiya Akhara, P.S.-Kotwali, Distt.-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Bihar, Patna
3. The Director, Primary Education, Human Resources Development Department, New Secretariat, Patna
4. The Regional Deputy Director of Education, Magadh Division, Gaya
5. The District Education Officer, Gaya
6. The Treasury Officer, Gaya
7. The In-charge Head Master, Swatantra Madhya Vidyalaya, Panchaitiya Akhara, Gaya
8. The Head Master-cum-Drawing and Disbursing Officer, Mahabir Madhya Vidyalaya, Sawarajpuri Road, Gaya
9. The District Provident Fund Officer, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shambhu Nath, Advocate
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey, AAG 15
		Mr. Rakesh Narain Singh, AC to AAG 15

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 18-09-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Shambhu Nath, learned counsel for the petitioner and Mr. Ashutosh Ranjan Pandey, learned AAG 15 along with Mr. Rakesh Narain Singh, learned AC to AAG 15 for the State.



3. The petitioner has moved the Court for the following reliefs:

“... for issuance of an appropriate writ, order/orders, direction/directions to the respondents to make the following payments/arrears;

- (I) Entire amount of GPF on the basis of calculation chart, Annexure-5 series.*
- (II) Rs.12,000/-, deducted illegally from GPF, along with interest thereon.*
- (III) Interest on Rs.14,993/- from December, 2011 to July, 2016, which has not been paid till date.*
- (IV) One month interest on Rs.5,13,946/-*
- (V) Also for any other relief/reliefs for which the petitioner is found entitled in the eye of law.”*

4. Yesterday, the Court had recorded in its order the issue which learned counsel for the State was required to explain.

5. Today, learned counsel for the State has explained the calculation made with regard to the GPF payment to the petitioner.

6. Upon hearing learned counsel for the parties and going through the pleadings, materials and calculation charts on record, the Court is satisfied that the entire due amount has been paid with up to date interest.

7. Learned counsel for the petitioner could not point out any error in the same.



8. Learned counsel for the petitioner submitted that though authority was prepared on 25.12.2017 for payment, but it was credited in the account of the petitioner only on 03.01.2018. It was submitted that since actual payment has been made in January, 2018, interest till December, 2017 is required to be paid, which has not been done, as the interest has been paid only till November, 2017.

9. The Court does not find any merit in the submission for the reason that authority was, admittedly, prepared in December, 2017, and also given to the petitioner in December, 2017, which he presented in December, 2017. Thus, the authority with regard to the GPF has rightly been paid with up to date interest, as was required in law. Moreover, the payment made just after three days does not persuade the Court to interfere by awarding one month's extra interest taking into consideration the overall circumstances.

10. Accordingly, the application stands disposed off.

(Ahsanuddin Amanullah, J)

J. Alam/-

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