

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19058 of 2017

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Ramji Singh Son of Late Awadh Singh, Resident of Village- Pali, P.O.-
Naubatpur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Secondary Education, Education Department, Vikash Bhawan,
Secretariat, Bailey Road, P
3. The Director, Directorate General, Provident Fund, Pant Bhawan, Bailey
Road, Patna.
4. The Collector, Ara, District- Bhojpur.
5. The District Provident Fund Officer, Ara Bhojpur.
6. The District Programme Officer Establishment, District- Ara Bhojpur.
7. The Drawing and Disbursing Officer, Triguna Singh High School, Mutukpur
Bhojpur, at and P.O. Ashni,
8. The Treasury Officer, Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Sharma, Advocate
For the Respondent/s : Mr.S.C.Mishra -SC 16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 28-05-2020 Heard learned counsel for the petitioner and the

State.

The petitioner has filed the present writ petition for
the following reliefs:-

“That this writ petition is for direction to the
respondent No. 05 for payment of 12.5%
admissible rate of interest for the year 1985-
86 to 1998-99 in terms of Government
Resolution No. 4184 and 4193 dated
13.07.1985 and also upto date statutory



interest from the date of retirement to till the date of actual payment as contained in Annexure-01 to this writ petition and/or pass such other order or orders under the facts and circumstances of this case.”

A counter affidavit has been filed on behalf of the respondent Nos. 3 and 5, paragraphs 6 to 11 of which are quoted below for ready reference.

“6. That the further submitted that this respondents has authorized earlier his all amount of GPF in the subscriber GPF No. PAT/FDN:668 amounting to Rs. 3,68,255/- (Three Lakh Sixty eight thousand two hundred fifty five only) with upto date interest @ 10.5% as per required statement and certified documents made available at that time by the concerned DEO, Bhojpur vide letter no. 1195 dated 15.10.2004.

7. That this instant writ petition has been filed by the petitioner with a claim of 12.5% interest for the period 1985-86 to 1998-99.

8. That it is most humbly submitted this respondent has examined the claim of the petitioner and further clarification and verification of the same, the respondent has made correspondence the concerned DDO i.e. Rajkiyakrit High School, Kayapur, Fatehpur, Patna as well as District Programme Officer, Establishment, Bhojpur



(Ara) vide letter no. 131 dated 25.1.2018.

9. That the Head Master Rajkiyakrit High School Kayapur, Fatehpur, Patna has send the deduction statement of petitioner for period July, 1985 to December, 1985 which was required for deciding the rate of interest for the period mentioned vide letter no. 55 dated 9.3.2018.

10. That it is humbly submitted that after receiving required and wanting dedication statement of the subscriber there after the office of the respondent no. 5 recalculate the interest @ 12.5% for the period mentioned and again authority for different amount of Rs. 94,809/- (Ninty four thousand eight hundred nine only) vide letter no. 488 dated 31.3.2018 and send to concerned DDO Head Master Triguna Singh High School, Matukpur, Bhojpur for payment to the subscriber.

11. That on the remaining amount upto date interest has been allowed.”

In view of the stand taken by the respondents that they have calculated interest at the rate of 12.5% and paid the amount of Rs. 94,809/- to the petitioner, the Court does not find any justification to keep this matter pending. In the event the petitioner has any grievance with regard to calculation, liberty shall be available to him to represent the District Provident Fund



Officer, who shall be under obligation to provide detailed calculation chart as to entitlement of interest on the GPF amount of the petitioner. The Provident Fund Officer shall provide calculation chart to the petitioner within a period of one month from the date of filing of the representation along with a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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