

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17126 of 2019**

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Smt. Nirmala Devi Wife of Late Vishnu Chand Prasad Resident of Village  
Arjunpur, Niyazipur, P.O. Rajpur, P.S. Simari, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Bihar, Patna.
2. The Deputy Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Madhubani.
4. The District Programme Officer (Establishment), Madhubani.
5. The District Provident Fund Officer, Madhubani.
6. The Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

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**Appearance :**

|                            |   |                                  |
|----------------------------|---|----------------------------------|
| For the Petitioner/s       | : | Mr.Rajiv Ranjan Kr. Pandey, Adv. |
| For the Respondent/s       | : | Mr.Subash Chandra Mishra SC-16   |
| For the Accountant General | : | Mr. Ajit Kumar Adv.              |

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL JUDGMENT**

**Date : 19-06-2020**

The matter has been listed today for consideration  
through Video Conferencing.

Learned counsel representing the petitioner, Mr. Subhash  
Chandra Mishra, learned counsel for the State as well as Mr.  
Ajit Kumar counsel for the Accountant General are appearing  
and making submissions from their residence. The Court Master  
and Secretary are also part of this virtual court proceedings from  
their homes, all with the aid of audio visual technology.

The short grievances raised by the petitioner is that on  
28.05.2016 an authorization was issued for payment of  
petitioner's balance under the heading General Provident Fund



to the tune of Rs. 4,34,581/-. According to his case, the same has not been paid till date. She has made specific averments that she had approached the Respondent no.4 i.e. District Programme Officer (Establishment), Madhubani with a request for such payment (Annexure-7). In spite of lapse of more than four years, the payments are still elusive. The claim of the petitioner has to be viewed in the background of the fact that the provident fund amounts are in respect of deposits made by petitioner's husband who died while working as Block Education Officer, Khutauna on 16.02.2015.

Mr. Mishra, for the State, submits that he would seek instruction and file a counter affidavit so as to place on record the reasons for non- payment or whether the payment has been made.

Mr. Ajit Kumar, counsel for the Accountant General submits that at the moment he has no role to play in the instant case in respect of the petitioner's claim.

The petitioner's counsel, however, submits that the payments under authorization dated 28.05.2016 has not been made to her. As per the information dated 05.05.2017 (Annexure-6) granted under the Right to Information Act by the Public Information Officer-cum- District Provident Fund



Officer, Madhubani, the amount was authorized way back on 28.05.2016 and payments made to the petitioner.

In view of rival submission, no adjudication is called for. This Court would observe that if the payments under the authorization dated 28.05.2016 have not been made till date, then the Authorities should ensure payment of the same expeditiously, and preferably within a period of two (02) weeks from the date of receipt/production of a copy of this order with statutory interest till date of payment and details of calculation thereof. If payments have been made, details thereof may be communicated to the petitioner within the time limit fixed by this Court.

The writ petition stands disposed off.

**(Madhuresh Prasad, J)**

shyambihari/-

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| AFR/NAFR          | NAFR       |
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