

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9069 of 2018

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Jaya Nand Pandey S/o Ramkishun Pandey, Resident of Vill. and P.O. Ranipur,
P.S.- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary Education Department Vikash Bhawan, Baliey Road, Patna.
3. The Director, Cum-Joint Commissioner, Directorate General Provident Fund
Pant Bhawan Bailey Road, Patna
4. The Collector, Patna.
5. The District Provident Fund Officer, Patna Collector.
6. That District Programme Officer, Establishment, Patna.
7. The Treasury Officer, Danapur District, Patna.
8. The Drawing and Disbursing Officer, High School, Chiraura, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Sharma, Advocate
For the Respondent/s : Mr.Kameshwar Kumar- GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 01-06-2020 Heard learned counsel for the petitioner and the

State.

The present writ petition has been filed by the

petitioner for the following reliefs:-

“(i) For direction to the respondent (06) the
District Programme Officer (in short DPOE)
Establishment, Patna to submit (a)
contributory deposited amount from
16.04.1971 to 31.12.1976 with interest of
challan and list of subscribers (teacher)
which shows the name of (Braj Bhushan



Sharma) and amount against the challan before the respondent no. (05) the District Provident Fund Collector, Patna for issuance of authority slip to petitioner (b) differential amount of salary for the period 16.04.1971 to 31.03.1973 (c) Balance up-to-date 1976 to 1985-86, General Provident Fund (GPF) deduction statement with Treasury nos. and encashment for the period March, 1985 to last deduction (i.e. July, 2003).

(ii) For direction to the respondent nos. (05) the District Provident Fund Officer, Collectorate, Patna to authorize (a) for the period 16.04.1971 to 31.12.1976 and differential amount of salary w.e.f. 16.04.1971 to 31.03.1973 with rate of interest applicable on GPF and upto date interest, from the date of retirement to till the date of actual payment (b) statutory rate of interest 12.5% w.e.f. 1.7.1985 to 31.3.1999 in terms of resolution no. 4184 and 4193 dated 13.07.1985 as contained in Annexure-1 and 1/A (c) interest calculated on the basis of treasury voucher nos. and encashment or paid date for the period 1986-87 to 2003-04 as contained in Annexure(02) to (03).

(iii) Upto date statutory interest i.e. from the date of retirement till the date of actual payment.

(iv) to furnish the deduction statements from



1985-86 to 2003-04 with treasury vouchers number and encashment date or paid date, balance upto 1985-86 collectoral Evidence for the year 1985-86 to 2003-04 and calculation chart in interest.”

It has been stated in paras 10 and 11 of the writ petition that the respondent No. 6 is not furnishing details of the calculation and the petitioner has not been paid amount despite fresh sanction order issued on 17.5.2016.

On behalf of the respondents a counter affidavit claims to have been filed but that is not available on record. Counsel for the respondents submits that in para-16 of the counter affidavit, there specific stand that the District Provident Officer has been requested to ensure payment of the entire admissible claim of the petitioner.

Learned counsel for the petitioner placing reliance on Annexure-A dated 2.7.2018 contends that only request has been made to the District Provident Fund Officer but there is no response on his behalf as he has not filed any counter affidavit.

Considering the fact that the dues relates to Provident Fund and the petitioner superannuated on 30.9.2004, the Court in the facts of the case, directs the respondent No. 6 to ensure payment of the balance GPF amount, if not already paid within a period of one month from the date of receipt/production of a



copy of this order and provide detailed calculation chart including the statutory interest against the GPF amount.

In addition thereof, if the petitioner has any other grievance, he shall be at liberty to raise all his grievance before the appropriate authority including the respondent no. 6 who shall be under obligation to address the same by reasoned and speaking order within the same period.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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