

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13411 of 2019

=====

Akhileshwar Jha Son of Sri Sukhdeo Jha, Resident of Village- Jagdishpur
Sahag, P.O. Adharpur, P.S.and District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Programme Officer, Samastipur.
6. The District Provident Fund Officer, Samastipur.
7. The Treasury Officer, Samastipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Siyaram Pandey, Adv.
For the Respondent/s : Mr. Kameshwar Kumar, GP-7

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 28-01-2021 Heard learned counsel for the petitioner and

learned counsel for the respondents.

The petitioner has approached this Court for the
following reliefs:

*“(i) For issuance of an appropriate writ
in the nature of Mandamus or an
appropriate writ/order or direction
commanding and directing the
respondents authorities for payment of
retiral dues under different heads:*

*(a) The difference of salary due from the
period of 1.1.1971 to 31.3.1973 with
statutory interest at the rate of 12% per*



annum. As the said amount with statutory interest has been deposited in the G.P.F. account of the petitioner.

(b) Payment of the part amount of G.P.F. with statutory interest prior to Dec. 1976 deposited in the provident fund, account of the petitioner.

(c) Penal interest at the rate of 18% per annum on delayed payment of the amount of G.P.F.

(d) Any other admissible dues under the head of retirement benefits.

(ii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner, shall be entitled under the facts and circumstances of the case.

Learned counsel for the petitioner submits that earlier petitioner filed a writ petition bearing C.W.J.C. No. 14874 of 2017 for the same relief and the Hon'ble Court vide order dated 22.04.2018 was pleased to settle the matter by passing the award in the following terms: "Learned counsel appearing on behalf of the respondents submits that the District Programme Officer, Samastipur who is present in Court, has instructed him to make statement that the entire dues with regard to the provident fund with statutory interest, if any, shall be paid to the petitioner within a period of six weeks" but till date nothing has been paid



to the petitioner.

A counter affidavit has been filed by the respondents submitting that all the payments which is claimed by the petitioner has already been made as per the calculation. He further submits that if the petitioner has any claim with regard to redressal of his grievance, he may be relegated to concerned authority to file a representation.

Considering the facts and circumstances of the case, this writ application is disposed of with a direction to the concerned/authority that if the petitioner files a representation along with a copy of this order before him, the same shall be considered in accordance with law and he would be obliged to pass a reasoned and speaking order within a period of three months from the date of filing of such representation.

The concerned authority would be solely responsible for non-compliance of this order within the stipulated period, as aforesaid.

With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

devendra/-

U			
---	--	--	--

