

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3675 of 2021

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Rajendra Tiwari Son of Shree Panchanand Tiwari R/o Village - Udaypura,
P.O. - Matiyari Bazar, P.S. - Udaypur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of through the Principal Secretary, Department of Human Resources, Govt. of Bihar, Patna.
2. The Director, Secondary Education, Govt. of Bihar..
3. The Regional Deputy Director, Department of Education, Saran Division, Siwan.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment) Office of the District Education Officer, Gopalganj.
6. The Block Education Officer, Block Vijaypur, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv.
For the Respondent/s : Mr. Madanjeet Kumar, GP-20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 01-12-2021 Heard the parties.

2. The present writ application has been filed for a direction to the concerned Respondent for payment of difference of amount towards post retiral benefit with statutory interest on the ground of parity as similarly situated employee has been paid more than the petitioner.

3. Learned counsel for the petitioner submits that from perusal of Annexure-2, it would be evident that there is a disparity in the amount towards PF withdrawal, balance for annuity paid to the petitioner from the amount paid under the



aforesaid head to the similarly situated employee, namely, Dharmdev Singh. Learned counsel further submits that both persons i.e., the petitioner and Dharmdev Singh joined service on the same date and retired on the same date but there is disparity in the amount of PF withdrawal and balance for annuity are calculated by National Security Depository Limited (in short NSDL) which is arbitrary and discriminatory.

4. Learned counsel for the State submits that the petitioner was a teacher in a Government Middle School and total contribution of the petitioner towards provident fund under the New Pension Scheme was 4,94,274/- whereas the total contribution under the New Pension Scheme of the similarly situated person, Dharmdev Singh was 5,39,482/-, as such, there is disparity in the amount of PF withdrawal and annuity paid to these two persons.

5. In view of the submissions made by the parties and after going through the material on record, it appears that the contribution of the similarly situated person, namely, Dharmdev Singh was more than that of the contribution of the petitioner. Accordingly, I find no disparity and discrepancy in the amount of the PF withdrawal and balance for annuity calculated and paid to the petitioner by the concerned authority.



6. That being so, the writ application is dismissed.

(Anil Kumar Sinha, J)

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