

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3487 of 2021

Mostt. Sugandhi Devi W/o - Late Janardan Singh resident of village and P.O.
- Sewtapur, P.S. - Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Water Resources, Government of Bihar, Patna.
3. The Engineer in Chief, Water Resources Department, Sichai Bhawan, Patna.
4. The Chief Engineer, Flood Control and Water Drainage Anisabad, Water Resources Department, Patna.
5. The Superintending Engineer, Flood Circle, Water Resources Department, Buxar.
6. The Executive Engineer, Flood Control Division, Water Resources Department, Buxar.
7. The District Provident Fund Officer, Buxar.
8. The Treasury Officer, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Atul Kumar Pandey
For the Respondent/s : Mr. Sumant Singh. GA 2

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-08-2021 Heard learned Counsel for the parties concerned.

The petitioner has filed the present writ application for a direction to the respondents to pay the G.P.F. amount from April, 1980 to June, 1991 with statutory interest. The petitioner is the widow of the deceased employee, who died in harness on 07.04.2003, while working as Survey Khalashi -cum- Gauze Reader.

Learned Counsel for the State, referring to Annexure-



C to the counter affidavit, submits that the Executive Engineer, Rural Works Department, Work Division, Dehri, vide his letter no. 527, dated 16.11.2019, informed that a total sum of Rs. 1,35,378/- was deposited in the account of work charge staff, including the petitioner's husband, starting from 29.03.1984 towards G.P.F.. He further submits that prior to the period of 1984, there is no record of the petitioner's husband in the said Department. Accordingly, the Executive Engineer, Rural Works Department, has requested the Accountant General (Provident Fund Cell), Bihar, Patna, to furnish the details about the deduction of the petitioner's husband.

Considering the aforesaid submission, the present writ application is disposed with a direction to the respondent no. 7- the District Provident Fund Officer, Buxar, to take decision with regard to the payment of G.P.F. amount to the petitioner after obtaining necessary details of deduction prior to 29.03.1984 from the concerned authority within a period of six months from the date of receipt/production of a copy of this order.

It is made clear that in the process of finalization of amount of provident fund, the concerned Executive Engineers shall be required to provide necessary details, including the details of deduction towards G.P.F. prior to 29.03.1984 within



the time frame indicated above, failing which the petitioner shall be entitled to be paid interest upon the due amount @ 9 per cent from the date of filing of this writ application till the date of the actual payment.

It is further made clear that 9 per cent interest shall be over and above the statutory interest payable to the petitioner.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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