

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22499 of 2019

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Baleshwar Prasad S/o Barho Mahto, Resident of near Lord Buddha International School, Ghugharitand, Dandibag, Post and P.S- Chandchoura, District- Gaya, Bihar- 823001.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Provident Fund, Pant Bhawan, Bailey Road, Bihar, Patna.
5. The District Provident Fund Officer, Nawada.
6. The District Education Officer, Nawada.
7. The District Programme Officer (Establishment), Nawada.
8. The Treasury Officer, Nawada.
9. The Block Education Officer, Kauwakol, Nawada.
10. The Head Master, Government Middle School, Khaira, Block- Kauwakol, District- Nawada.
11. The Head Master, Government Middle School, Dhamni, Block- Kauwakol, District- Nawada.
12. The Account General, A & E, Bihar, Birchand Patel Patna, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms.Roona
For the Respondent/s	:	Smt. Binita Singh (SC28)
For the Accountant General :		Mr. Prabhat Ranjan
For the Respondent No.11	:	Mrs.Rekha Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 21-01-2021 Heard Ms. Roona, learned counsel for the petitioner, learned S.C.28, Mr. Prabhat Ranjan, learned counsel for the Accountant General and Mrs. Rekha Prasad, learned counsel for the respondent No.11.

The petitioner in this writ petition seeks direction to



the respondents to pay the provident fund amount of the petitioner with interest at the rate of 12% per annum for delay being caused by the authority concerned and for revision of pension of the petitioner with all consequences and any other relief or reliefs.

The counter-affidavit has been filed on behalf of respondent Nos.4 and 5 and respondent No.7. It is admitted fact that the petitioner retired from his service on 31.05.2012. The pension of the petitioner and other retiral dues such as leave encashment and gratuity were paid to the petitioner in the month of March, 2013 but the G.P.F. amount of the petitioner was not paid. Respondent No.7 in his counter-affidavit stated that the authority slip for payment of G.P.F. was issued in the year 2013 itself. Since 2013, Sri Anup Prasad Yadav, Sri Pawan Kumar, Md. Gafar Ansari and Sri Shiv Balak Prasad were posted as Headmasters of Government Middle School, Dhamni, Kauwakol, Nawada and they are responsible for such delay in payment of G.P.F. amount of the petitioner. Now second authority slip vide letter No.2090(Estb.) dated 08.09.2020 was issued and the payment has been made but no interest on G.P.F. amount is paid to the petitioner. Mrs. Rekha Prasad, learned counsel for the respondent No.11 submits that of course the



authority slip was issued in the year 2013 but there was some spelling mistake in the name of the petitioner, therefore, Sri Anup Prasad Yadav, the then headmaster returned the authority slip for necessary correction and on account of such, the G.P.F. amount of the petitioner was not paid to the petitioner.

Having considered the facts, I find that the petitioner is entitled to get 6% simple interest on his G.P.F. amount from the date of his retirement till the date of payment and, therefore, the respondent Nos.4 to 7 are directed to pay 6% simple interest to the petitioner on his G.P.F. amount till the date of payment and realise the same from the erring headmasters who are responsible for delay in payment of G.P.F. amount of the petitioner.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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