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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (SERVICE) NO. 2142 OF 2021

- Sharwan Kumar Sahu, S/o Late Shri Budhman Lal Sahu, aged about 66 years, Retired Internal Accounts and Taxation Officer, R/o Village and Post Mandhar, District Raipur (CG) **... Petitioner**

versus

1. State of Chhattisgarh, through the Secretary, Panchayat and Social Welfare Department, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. Accountant General (Accounts and Entitlement), office of Accountant General, Zero Point, Balodabazar Road, Raipur (CG)
3. Joint Director, Panchayat and Social Welfare Department, Directorate, Indrawati, Bhawan, New Raipur, District Raipur (CG)
4. Chief Executive Officer, Janpad Panchayat, Bhatapara, District Balodabazar - Bhatapara (CG) **… Respondents**

For Petitioner	:	Mr. Abhishek Pandey, Advocate, under instructions of Mr. Dashrath Prajapati, Advocate.
For Respondents 1 & 3	:	Mr. Rahul Jha, Dy. Govt. Advocate.
For Respondent 2	:	Ms. Poornima Singh, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31/03/2021

1. The present Writ Petition by Petitioner is in respect of alleged non-settlement of the entire GPF amount payable to Petitioner.

2. The present is a third round of litigation. The first round of litigation was WPS No. 7363/2018 which got disposed of vide order dated 12.11.2018 whereby this Court had directed the office of the Accountant General as also the authority under whom the Petitioner was working to scrutinize the GPF and settle the same. The second round of litigation was WPS No. 7860/2019 which got disposed of on 26.9.2019 whereby this Court had directed the State authorities, i.e., the employer of Petitioner, to provide necessary information to the office of the Accountant General for an early settlement of the GPF amount of Petitioner.

3. Subsequently, now the Petitioner submits that he has received the entire payment except for an amount of Rs.30,000/- which is alleged to have been withdrawn by Petitioner in the year 1996-97. According to Petitioner, since the withdrawal of the said amount of Rs.30,000/- is not reflected in the accounts of the office of the Accountant General, it has to be presumed that he has not received the said amount and therefore the authorities should be directed to release the said amount of Rs.30,000/- to him.

4. Perusal of pleadings in the Writ Petition would show that the Petitioner himself has made a correspondence with the Senior Accounts Officer in the office of the Accountant General on 20.8.2020 whereby the Petitioner has specifically mentioned that he has in fact received the amount of Rs.30,000/- in two installments; first in April, 1997 for an amount of Rs.20,000/- and thereafter an amount of Rs.10,000/- in the month of February, 1998. Petitioner has reiterated the same facts further in the same document and has also enclosed the receipt of payment so far as the second installment is concerned.

5. Given the fact that the Petitioner has accepted of having received of Rs.30,000/- in two installments, therefore, only on account of there being no entries in the records of the office of the Accountant General as regards the withdrawal of this Rs.30,000/- by itself would not entitle the Petitioner for a payment of Rs.30,000/- when he himself has admitted of having received the same in the year 1997 and 1998 in two installments.

6. Under the circumstances, this Court is of the opinion that there is no merit in the present Writ Petition which deserves to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
JUDGE

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