

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12996 of 2021

Prabhat Kumar Son of Late Shyam Nandan Kishore Resident of Mohalla-Yarpur, Police Station- Gardanibagh, Post Office- G.P.O., District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Chief Engineer Road Construction Department, Patna.
3. The Superintending Engineer Road Construction Department, Bhagalpur.
4. The Executive Engineer Road Construction Department, Lakhisarai.
5. The Director General Provident Fund, Bihar, Patna.
6. The General Provident Fund Officer Munger.
7. Accountant General Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Syed Maslehuddin Ashraf, Advocate
For the Respondent/s	:	Mr. Uday Bhan Singh GP-19
For the A.G	:	Mr. Anand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-12-2022 Heard Mr. Syed Maslehuddin Ashraf, learned counsel appearing on behalf of the petitioner, Mr. Anand Kumar, learned counsel for the Accountant General, Bihar and Mr. Uday Shankar Sharan Singh, learned AC to GP-19 for the State.

The present writ application has been filed seeking a direction to ensure the payment of revised post retiral benefit of the petitioner after calculating the financial progression granted under the Assured Career Progression Scheme/ MACP as well as other legal and admissible dues payable to the petitioner.

A counter affidavit has been filed on behalf of the



respondent no. 1 to 4.

Mr. Uday Bhan Singh, learned counsel for the State by referring to the statements made in Paragraph-16 and 17 thereof submits that the Executive Engineer, Road Construction Division, Lakhisarai vide its letter no 85 dated 28.01.2022 wrote to the Accountant General, Bihar for revision of the pension and gratuity of the petitioner in the light of the calculation of the ACP / MACP of the petitioner. It is further submitted that the Accountant General office has also approved the revised pension of the petitioner and send the same to the Treasury officer for payment.

Learned counsel for the petitioner submits that so far as the rest of the grievance of the petitioner is concerned, admittedly, from the counter affidavit filed on behalf of respondent no. 5, it appears that the petitioner has not been allowed the benefit of GPF for the period of July 2006 to July 2009 as despite letter issued by the provident fund officer to the Executive Engineer, Road Construction Division Lakhisarai, till date deduction statements have not been provided. The respondent no. 5, in his statement made in paragraph-8 of the counter affidavit categorically assured that after receipt of the deduction statement of July 2006 to July 2009, from the office



of the concerned Executive Engineer, the final authority slip for payment to the petitioner will be issued without any delay with statutory interest.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of with a direction to the respondent no. 4 to furnish the deduction statements from July 2006 to July 2009 to the District Provident Fund Officer, Munger within a period of six weeks. It is needless to say that on receipt of the deduction statement, the respondent no. 5 shall ensure the payment within a further period of four weeks.

At this juncture, learned counsel for the petitioner further submits that the petitioner has not been provided the calculation chart due to which, he is unable to verify the actual benefits which he received. The respondent no. 4 is also directed to furnish a calculation chart to the petitioner within the aforesaid period.

It is needless to say that if, the petitioner has any other grievance, he would be at liberty to approach before the concerned authority for redressal of his grievance and if the petitioner files any representation, the same would be disposed of expeditiously.

Accordingly, the present writ petition stands disposed



of with the aforesaid observation and direction.

(Harish Kumar, J)

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