

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19126 of 2021

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Jitendra Kumar Sinha Son of Gopal Prasad, R/o Mohalla - Murarpur, P.O. and
P.S.- Murarpur Katari, Kamasi, District - Sheikhpura, Bihar - 811105.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department Government of Bihar, Patna.
3. The Deputy Secretary, Management Cell, Water Resources Department, Irrigation Department, Bihar, Patna.
4. The Chief Engineer Irrigation Creation, Biharsharif, Water Resources Department, Government of Bihar, Patna.
5. The Superintending Engineer, Irrigation Circle, Nawada.
6. The Accountant General (A and E) Bihar, Patna.
7. The District Provident fund Officer, Munger and Nawada.
8. The Treasury Officer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate
For the Respondent/s : Mr. Binay Kumar Pandey, AC to GA-2
For the Accountant General: Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL JUDGMENT

Date : 16-05-2022

Heard learned counsel for the parties concerned.

2. Learned counsel for the petitioner submits that the petitioner has retired on 30.9.2017 from the post of Assistant Engineer of the Water Resources Department. The petitioner was paid his GPF amount, but, now the petitioner has received a letter issued by the Accountant General, Bihar, informing the petitioner that Accountant General, Bihar, has been requested vide letter of the Water Resources Department bearing No. 507 dated 6.4.2021



to deduct a sum of Rs.1,86,210/- from the pension of the petitioner and deposit it under the head of General Provident Fund.

3. Learned counsel for the petitioner submits that no reason has been assigned in the impugned letters at Annexures-1 and 2 directing for deduction of a sum of Rs.1,86,210/- from the pension of the petitioner. He further submits that prior to issuance of impugned letters, the petitioner was not served any show cause notice. However, the petitioner has filed a representation before the District Provident Fund Officer, Nawada, which has been annexed as Annexure-3 to this writ petition dated 27.9.2021 and the same is still pending. Accordingly, submission is that the District Provident Fund Officer, Nawada, may be directed to dispose the representation of the petitioner in accordance with law by passing a reasoned order.

4. Mr. Binay Kumar Pandey, learned AC to GA-2 appearing for the State, does not have any objection, if necessary direction is issued to the District Provident Fund Officer, Nawada, for disposal of the representation filed by the petitioner.

5. Having heard learned counsel for the parties and taking into consideration the nature of prayer, the District Provident Fund Officer, is directed to dispose the representation of the petitioner by a reasoned and speaking order within a period of



eight weeks from the date of receipt/production of a copy of this order.

6. Till disposal of the representation of the petitioner by the District Provident Fund Officer, Nawada, there shall be no recovery of the amount from the pension of the petitioner in pursuance to the impugned letters.

7. With aforesaid observation and direction, this writ application stands disposed of.

(Anil Kumar Sinha, J)

S.Ali/-

AFR/NAFR	
CAV DATE	
Uploading Date	19/5/2022
Transmission Date	

