

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1678 of 2023

1. Rajendra Rai Son of Late Gorakh Rai, Resident of Village- Parsauni, P.S.- Paharpur, District- East Champaran.
2. Hardeo Bagat Son of Late Triveni Bhagat, Resident of Village- Mahuwawa, P.S.- Pipra, District- East Champaran.
3. Jai Shankar Singh Son of Late Prabhunath Singh, Resident of Village- Dhenukhi, P.S.- Panapur, District- Chapra.
4. Gokhul Mishra Son of Late Ramdayal Mishra, Resident of Village- Damodarpur, P.S.- Mehsi, District- East Champaran.
5. Jamuni Devi W/o Late Ramlagan Sah, Resident of Village- Panchbhidia, P.S.- Ramgarhwa, District- East Champaran.
6. Abul Hasan Son of Mirza Miyan, Resident of Village- Fate Tola Bariya, P.S.- Turvauliya, District- East Champaran.
7. Salim Khan Son of Nazam Khan, Resident of Village- Baswaria, P.S.- Betiya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Secretary, Rural Works Department, Bihar Patna.
3. The Director, Provident Fund, Pant Bhawan, Bailey Road, Patna.
4. The District Provident Fund Officer, East Champaran at Motihari.
5. The Superintending Engineer, Works Circle, Rural Works Department, Motihari.
6. The Executive Engineer, Rural Works Department, Works Division, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prabhu Nath Pathak, Advocate
For the Respondent/s : Ms. Archana Meenakshee (GP-6)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 26-06-2023 Learned State counsel places reliance on Annexure-B, being a communication dated 09.02.2023 from the office of the Executive Engineer, Rural Works Department, Works Division, Motihari to the District Provident Fund Officer, East Champaran



at Motihari. In paragraph-9 of the counter-affidavit, they have dealt with the communication. Paragraph 9 reads as follows:

"9. That in response to the aforesaid letter the Executive Engineer, Rural Works Department, Work Division, Motihari vide his letter no. 278 dated 09.02.2023 apprised the present respondent that soon after arrangement made in CFMS for making payment of contributed amount under GPF of the petitioner shall be paid to them as well as the amount deducted under GPF head for the period of regular establishment shall be deposited under GPF account of the petitioner with interest."

In view of such statement, the only apprehension now which is expressed by the learned counsel for the petitioners is that they may take their own sweet time for taking steps pursuant to their stand in the counter-affidavit.

Having regard to such apprehension, since the issue has now been pending since 2019 as is evident from earlier order passed on the petitioners' writ petition in CWJC No. 6436 of 2019, this Court directs that positive steps are required to be taken to ensure that the due and admissible benefits in terms of Annexure-B; and stand of the State in paragraph-9 of the



counter-affidavit, as recorded above, should be taken positively within 8 weeks from the date of receipt/production of a copy of this order.

Writ petition is disposed of.

(Madhuresh Prasad, J)

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