

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8172 of 2019

=====

Shanti Bhuiyan W/o Late Ranjit Bhuiyan Resident of Village- Kashipur, P.O.- Kashipur, P.S.- Nimdih, Saraikela (kharsawa), New State of Jharkhand, At Present Panchayat Ruchap, P.O.- Chandil, P.S. Chandil, New Durga Mandir, Ruchap Saraikela, Kharsawan, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar.
2. The Engineer- in- Chief- cum- Addl. Commissioner - cum- Special Secretary Irrigation, Irrigation Bhawan, Patna.
3. The Additional Chief Secretary Water Resources Department, Sone Bhawan, Patna.
4. The Engineer - in- Chief, Irrigation Department, Govt. of Bihar.
5. The Special Land Acquisition Officer, Sone Yojna Ara, Bihar.
6. The Special Land Acquisition Officer Patna Flood Protection Scheme, Patna.
7. The Secretary Water Resources Development and Flood Control Department, Bihar, Patna.
8. The Director, General Provident Fund, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate.
For the Respondent/s : Mr. Deepak Sahay Jamuar, AC to AAG-4.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 04-09-2023

Heard Mr. Sanjay Kumar Sharma, learned counsel
appearing on behalf of the petitioner and Mr. Deepak Sahay
Jamuar, learned AC to AAG-4 for the State.

2. The petitioner has filed the present writ petition
for the following reliefs:

“That this is an application for issuance of a writ of Mandamus directing / commanding the Respondents to pay the all retiral dues, which was not fully paid after the death of petitioner’s husband on 31.12.1992 who died in harness working at Ara in Department of Special Land Acquisition



Office, Sone Yojna, Ara, Bhojpur before division of Bihar and creation of State of Jharkhand as Separate State. Further issue the direction to the respondent to give rest dues amount of Public Provident Fund which was not fully paid.

3. Learned counsel appearing on behalf of the State submits that due to non-furnishing of deduction statement, G.P.F. amount could not be paid to the petitioner.

4. The husband of the petitioner died in harness on 31.12.1992 while he was posted in the office of Special Land Acquisition Officer, Swarn Rekha Project, Ara, Bhojpur. The petitioner was appointed on the post of Chain Carrier against the vacant post in the department of Special Land Acquisition Office on the recommendation of Administrator of Organizing Committee, Swarn Rekha Project, Jamshedpur on 26.10.1987.

5. The District Provident Fund Officer, Bhojpur at Ara and the District Provident Fund Officer, Patna are directed to call for the deduction statement from the places of posting of the petitioner including from the State of Jharkhand where the petitioner was initially appointed as Chain Carrier on 26.10.1987 and make payment of provident fund amount due to the husband of the petitioner within a period of six weeks. In case any paraphernalia is required, they must depute a competent officer under their jurisdiction to comply all the paraphernalia within the aforesaid period including filling up of



requisite form by the petitioner in this regard. So far as other relief which has been claimed in the present writ petition, the petitioner, if so advised, may file a detailed representation before the Special Land Acquisition Officer, Swarn Rekha Project, Ara and the Special Land Acquisition Officer, Flood Protection Scheme, Patna. The representation of the petitioner is directed to be disposed of within a period of six weeks from the date of its filing. The concerned respondent must ensure to make payment of all the retiral dues related to the deceased employee to the petitioner in accordance with law within the aforesaid period.

6. The writ application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	06.09.2023
Transmission Date	N.A.

