

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8383 of 2023

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Shree Niwas S/O- Late Surendra Narayan, R/o- 363, Panki Kothi, Nala Road,
P.S.- Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director (Primary Education), Government of Bihar, Patna.
4. The District Education Officer, Nawada.
5. The District Programme Officer (Establishment), Nawada.
6. The District Provident Fund Officer, Nawada.
7. The Treasury Officer, Nawada.
8. The Accountant General, Bihar, Birchand Patel Path, Patna.
9. The Treasury Officer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (SC 16)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 11-07-2023

Learned counsel files supplementary counter affidavit on behalf of respondent no.5 [the District Programme Officer (Establishment), Nawada] in the Court today itself. Let it be kept on record.

2. Heard Mr. Amarendra Kumar, learned counsel appearing on behalf of the petitioner and Mr. Subhash Chandra Mishra, learned SC 16 for the State.



3. Learned counsel appearing on behalf of the petitioner informs this Court that all the payments on account of his retiral dues have been paid, however, the petitioner is still aggrieved for non-payment of up-to-date interest on delay in payment as well as the calculation chart, which has not been supplied to the petitioner.

4. The fact regarding payment is admitted in supplementary counter affidavit filed on behalf of respondent no.5 [the District Programme Officer (Establishment), Nawada]. In paragraph no.7, specific statement has been made, which is reproduced hereinafter :

“7. That in the present context, it is most respectfully submitted that as per the records, i.e. the computer generated report dated 08.07.2023 admissible payments against pension and gratuity had been credited in the petitioner’s bank account by the concerned Treasury Officer, Patna through CFMS System.”

5. The petitioner is aggrieved for non-payment of up-to-date interest on account of delay payment of amount under different heads till the date of making payment. Petitioner is further dis-satisfied with the payment made on account of GPF contribution in absence of statement/calculation chart.



6. Considering the aforesaid facts, this Court directs the District Provident Officer, Nawada that he must ensure to obtain all the contributions made in the account of the petitioner wherever the petitioner was posted and, if required, he must personally visit the place of posting of the petitioner from the date of his appointment till the date of his retirement or he may entrust any responsible Officer to obtain all the details of the contribution made from 15.05.1992 till 30.11.2021, the date of retirement of the petitioner.

7. Six weeks time from the date of passing of this order is granted to the District Provident Officer, Nawada to ensure that entire amount of GPF is paid to the petitioner along with the statutory interest, as per the statement/calculation chart relating to deduction.

8. The District Programme Officer (Establishment), Nawada has ensured that he will communicate the order of this Court to the District Provident Officer, Nawada forthwith to take all necessary action in accordance with direction passed in this order.

9. This Court further directs that in case of failure in providing statements/calculation chart relating to deduction as well as non-payment of entire amount on account of GPF, the



petitioner can take appropriate legal action against the District Provident Officer, Nawada.

10. Personal appearance of Mr. Tanveer Alam, District Programme Officer (Establishment), Nawada is dispensed with.

11. This Court appreciates the sincere assistance provided to the Court and his personal effort in making payment of retiral dues of a retired employee of the State. A note of appreciation made by this Court in favour of Mr. Tanveer Alam, District Programme Officer (Establishment), Nawada may be recorded in his Annual Service Record by the appropriate authority of the State Government.

12. There shall be no order as to costs.

13. With above observation/direction, the present writ petition is disposed of.

(Purnendu Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.07.2023
Transmission Date	NA

