IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12057 of 2019

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Manju Devi, Wife of Late Chandrshekhar Prasad, Retired Karmchari (Revenue), residence of New Colony, Ward No. 8, P.O. and P.S.- Saharsa, District- Saharsa.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate Madhepura.
3. The Sub Divisional Officer Madhepura.
4. The Deputy Collector (Establishment) Madhepura.
5. The Circle Officer Circle Office, Shankarpur, District- Madhepura.
6. The Accountant General Bihar, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh, Adv.
For the Respondent/s	:	GP-14

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
Date : 08-12-2023

Heard Mr. Krishna Kant Singh, learned counsel for the petitioner and learned Government Pleader No.14.

2. The petitioner claiming herself to be widow of Late Chandrashekhar Prasad, who superannuated on 31.03.2013, as Revenue Karamchari from Anchal Office, Shankarpur, Madhepura, and subsequently died on 13.12.2018, has filed the present writ petition seeking a direction upon the respondent authorities to grant all his retiral benefits, including pension from 31.03.2013 to December, 2018, family pension, provident fund, gratuity, leave encashment etc.

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3. Learned counsel for the petitioner submits that during the pendency of the writ petition, all the substantive amount under the retiral benefits and other dues have been paid to the petitioner, barring the provident fund for the period 01.12.1983 to 30.06.1999 and further as the petitioner has been allowed the salary for a period from 01.07.2007 to 31.03.2013 in one go, thus an amount of Rs.4,34,682/- has been deducted as TDS. He thus submits that if the petitioner would be supplied a copy of the TDS, then the same would be filed in return and the amount may be realized from the Income Tax Department.

4. A supplementary counter affidavit has been filed on behalf of the respondents no. 2 to 5 and referring to the averments made therein, learned counsel for the State, submits that the authorities are under the process of constructing the records, so that necessary action be taken at their level to ensure the payment of GPF amount for the period in question. He further submits that so far the deduction of the Income Tax at source on account of payment of salary is concerned, for which the petitioner may represent before the authorities concerned, who shall furnish the copy of the TDS.

5. Considering the submissions made on behalf of the parties and taking note of the fact that the substantive grievance

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of the petitioner has been redressed, except the GPF amount for the period 01.12.1983 to 30.06.1999 and the issue with regard to the TDS, this writ petition stands disposed of with a direction to respondent no.2, the District Magistrate, Madhepura, to consider the claim of the petitioner with regard to the payment of GPF of the remaining period from 01.12.1983 to 30.06.1999 and also to ensure that the copy of the TDS may be made available to the petitioner.

6. The aforesaid exercise must be completed preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11-12-2023
Transmission Date	

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