

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17838 of 2021

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Mahesh Paswan Son of Late Rameshwar Paswan The Retired Sub - Inspector of Bihar Police, Resident of Village - Raghepura, P.O. - Laheria Sarai, P.S. Bahadurpur, District- Darbhanga, Bihar- 846001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home Department, Old Secretariat, Patna.
2. The Director General of Police, Government of Bihar, Patel Bhawan, Bailey Road, Patna.
3. The Principal Accountant General (A and E), Bihar, Patna.
4. The Provident Fund Commissioner, Government of Bihar, Patna.
5. The Joint Secretary, C.F.M.S., Finance Department, Bihar, Patna.
6. The Inspector General of Police, Muzaffarpur.
7. The Senior Superintendent of Police, Muzaffarpur.
8. The District Provident Fund Officer, G.P.F. Office, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam (GP-5)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Counsel for the petitioner submits that the present writ application has been filed for directing the respondent no.3 and 7 to pay the retiral benefit amount i.e. GPF amount as to draw a sum of Rs.11,16,298/- alongwith interest.

Counsel for the petitioner submits that from the affidavit filed by respondent no.8 i.e. District Provident Fund Officer, Muzaffarpur as well as from the affidavit filed by

Deputy Superintendent of Police, Headquarter, Muzaffarpur it is clear that the GPF amount of petitioner has not been paid till date. It has been submitted that letter no.1760/Account dated 27.10.2021 was sent for rectification so that the payment may be made to the petitioner, it has also been submitted that after rectification letter no.1860/Account dated 04.12.2021 was sent to the Joint Secretary, CFMS, Bihar, Patna for payment to the writ petitioner. Counsel for the petitioner further submits that the said letter was alleged to be issued on 04.12.2021 but till date, petitioner has not received any payment in his account. He further submits that from the counter affidavit filed by Accountant General, it transpires that vide Annexure-C correspondence has been made by Senior Superintendent of Police, Muzaffarpur with the District Provident Fund Officer with regard to payment of petitioner of his GPF amount.

In the above mentioned facts and circumstances, petitioner is directed to file fresh representation before Senior Superintendent of Police, Muzaffarpur (respondent no.7) and before District Provident Fund Officer, Muzaffarpur (respondent no.8). Respondent no.7 & 8 are also directed to co-ordinate with each other and assure the payment of petitioner within 6 weeks from the date of communication of representation before them

and assure the payment of GPF amount of petitioner alongwith statutory interest.

In case of non-payment of GPF amount to petitioner alongwith statutory interest, the petitioner shall be entitled to receive 9 % interest in addition to the statutory interest on the GPF amount and the said 9 % interest shall be realized from the pocket of respondent no.7 & 8. This liberty is granted to the State.

With this observation, the writ application is hereby disposed off.

(Dr. Anshuman, J.)

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