

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3248 of 2018

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1. Chhabila Rai and Anr Son of Late Mishri Lal Rai, Resident of Village-Babhangaonwa, Police Station- Parsa, District- Chapra, Presently working as Mechanic under P.H. Mechanical Division, Chapra.
 2. Permanand Singh, Son of Late Kapildeo Singh, Resident of Village-Kamalakant Kararia, Police Station- Phulwaria, District- Gopalganj, Presently working as Pump-Chalak under P.H. Mechanical Division, Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Engineer-in-Chief-cum-Special Secretary, Government of Bihar, Patna.
3. The Chief Engineer, Mechanical, Bihar, Patna.
4. The Superintending Engineer, Mechanical Circle, Muzaffarpur.
5. The Executive Engineer, P.H. Mechanical Division, Muzaffarpur.
6. The Executive Engineer, P.H. Mechanical Division, Chapra.
7. The Superintending Engineer, P.H. Circle, Mechanical, Chapra

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Veerendra Narayan, Advocate
For the Respondent/s : Mr. Arvind Ujjwal-SC-4

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 19-09-2023 Learned Counsel for the petitioners prays for and is allowed to implead the Superintending Engineer, P.H. Circle, Mechanical, Chapra as respondent no. 7 in course of the day.

2. Heard the parties.

3. This application has been preferred for issuance of appropriate writ/writs, order/orders and direction/directions to the respondents for the deducted amount of General Provident Fund of Rs. 44,915/- in which the amount of Rs. 3,262/- and Rs.



3,754/- of the petitioners with interest has been sent through Executive Engineer, P.H. Muzaffarpur Mechanical to P.H. Division, Mechanical Division, Chapra dated 3.6.1988 through A.T.C. may be deposited in G.P.F. Office which has been kept by respondent no. 6 at somewhere or is traceless till date.

4. It is his case that till 01.04.1987, the Public Health Mechanical Division, Muzaffarpur was the controlling authority of all North Bihar P.H. Mechanical Sub Division but later on the aforesaid date, the Mechanical Division, Chapra was created and he alongwith others were transferred from Muzaffarpur to Chapra. However, despite the Executive Engineer, Public Health Mechanical Division, Muzaffarpur transferring the deducted amount of GPF on 03.06.1988 itself to the office of Executive Engineer, P.H. Mechanical Division, Chapra, the same was not deposited which resulted into financial loss to the petitioners.

5. On 12.03.2018, a co-ordinate Bench had directed the respondents to file counter affidavit.

6. Today, on call, no such reply is on record.

7. Instead of keeping the case pending, it would be appropriate that the petitioners approach the newly added respondent no. 7, the Superintending Engineer, P.H. Circle,



Mechanical, Chapra within a period of eight weeks from today separately.

8. If the said representation is filed by the petitioners herein within the aforesaid period, the respondent no. 7, the Superintending Engineer, P.H. Circle, Mechanical, Chapra will be taking up steps and pass a reasoned order within next three months.

9. Needless to say, if he comes to the conclusion that the same has still not been transferred, an appropriate direction will be given.

10. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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