

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11863 of 2022

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Rukmani Devi Wife of Late Ram Sharan Paswan, Resident of Village-Chousa Basti 07, P.O. and P.S.-Chousa, District-Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Purnea, District-Purnea.
2. The Joint Commissioner cum Director, Directorate General, Provident Fund, Pant Bhawan, Bailey Road, Patna.
3. The District Provident Fund Officer, Purnea, District-Purnea.
4. The Block Development Officer, Purnea, District-Purnea.
5. The Block Development Officer, Bhawanipur, District-Purnea.
6. The Treasury Officer, Purnea, District-Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Sharma, Advocate
For the Respondent/s : Mr. Raghwendra Kumar, SC-22

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 04-07-2024

Heard Mr. Ghanshyam Sharma, learned counsel appearing on behalf of the petitioner and Mr. Raghwendra Kumar, learned SC-22.

2. The petitioner, a widow of the erstwhile employee, who superannuated from the post of Panchayat Secretary on 31.12.2010 from the Block Development Officer, Bhawanipur, Purnea and died on 20.12.2016, has filed the writ petition seeking a direction upon the respondents to ensure payment of an amount of Rs. 51,318/- under the GPF for the period May, 1997 to June, 2001 along with statutory interest.



3. Two counter affidavits have been filed in this case. One on behalf of the respondent nos. 2 and 3 and another on behalf of the respondent no. 5. It is the contention of the respondents that the petitioner has already been paid the due GPF amount to the tune of Rs. 2,08,159/- vide Dispatch No. PU/2022/FP/774 dated 19.10.2022, the copy of which is marked as Annexure-B to the counter affidavit filed on behalf of the respondent no. 5.

4. In response to the averments made in the counter affidavit, a rejoinder has been filed thereto. It is the contention of the petitioner that yet following part of the GPF has not been paid to her. In this regard, specific averments have been in paragraph no. 10 of the rejoinder, which is quoted hereinunder:

“10. That it is humbly submitted that as mention in para -04 of the supplementary affidavit the following part of G.P.F. has not been paid till date.

i. The Respondent no.03 has not calculated the rate of interest 12/5% for the year 1985-86, 1991-92 and 1994-95 to 1998 in the light of Govt. Notification No. 4184 and 4193 dated 13.07.1985.

ii. The Respondent no.03 has wrongly deducted as Advance of Rs.9720.00 in the month of Jan. 1999 (1998-9). However, petitioner's husband did not take advance of Rs.9720/- in the month of Jan.1999 which can be verified from Acquaintance roll of concerned office.

iii. That Respondent no.03 has not calculated the deposit amount of Rs.11232.00 of



differentiate amount of arrear of w.e.f. 01.04.1997 to 28.02.1999.

iv. That up-to-date interest from Oct. 2022 to till the date of payment of authorized amount of Rs.2,08,159.00 in the light of Govt. Notification no. 3373 dated 06.05.2022 alongwith full Bench Judgment reported in 2015 (I) P.L.J.R. 568.”

5. At this juncture, learned Standing Counsel for the State submits that since the entire calculation has been made by the office of the DPFO, Purnea; and if the petitioner has still any grievance, the petitioner may pursue her grievance before him by filing an appropriate petition, who shall consider the same and pass an appropriate order.

6. Considering the submissions advanced on behalf of the parties, this Court deems it proper to dispose of the writ petition with a direction to the DPFO, Purnea to consider the claim of the petitioner, as noted hereinabove, and dispose of the same preferably within a period of four weeks from the date of receipt/production of a copy of this order.

7. Suffice it to say that the petitioner is a hapless widow, whose husband died way back in the year 2016 and she has been pursuing the matter for the last several years. It is also made clear that under any of the head, if the claim of the petitioner is found admissible, the amount shall be paid to her within the period stipulated.



8. Accordingly, the present writ petition stands disposed of with the aforesaid direction.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.07.2024.
Transmission Date	NA

