IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2882 of 2021

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Jitendra Nath Mishra, son of late Ram Kishore Mishra, resident of village- Fakuli, Nabiganj, Police Station- Muffasil Chapra, District- Saran at Chapra, Retired while working as a clerk from Govt. Gautam Rishi High School, Anchal- Revilganj, District- Saran at Chapra.

... ... Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary - cum - the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Saran Division, Chapra.
5. The District Education Officer, Saran at Chapra.
6. The District Programme Officer (Establishment) Saran at Chapra.
7. The Headmaster, Govt. Gautam Rishi High School, Anchal - Revilganj, District- Saran at Chapra.
8. The Accountant General, Beerchand Patel Path, Bihar, Patna.
9. The Accounts Officer, Office of the Accountant General, Beerchand Patel Path, Bihar, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Ram Vinay Pd. Singh, AC to GA-12
For the Accountant General	:	Mrs. Ritika Rani, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
Date : 16-01-2024

Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel for the Accountant General, Bihar, Patna.

2. The petitioner by filing the present writ petition seeking a direction upon the concerned respondent authority to ensure payment of GPF amount of Rs.4,65,393/-, as the

petitioner's GPF amount has been calculated to the tune of Rs.5,91,393/-, but only Rs.1,26,000/- has been paid to him. Further prayer has been made to grant arrears of difference of salary in the light of Memo No. 504 dated 14.01.2024, issued by the Finance Department, Government of Bihar, Patna, as the petitioner retired from service on 31.01.2014.

3. In compliance of the order of this Court, a supplementary counter affidavit has been filed on behalf of respondent no.6.

4. It is submitted that on the basis of the deduction report from 2008-09 to 2012-13, the authority slip was issued vide letter no. 515 dated 15.07.2014, amounting to Rs.1,26,128/- along with calculation charts and collateral evidence. He further submits that the Provident Fund data, as was available on Online dated 01.04.2012, the provisional Accounts slip amounting to Rs.5,91,391/-, for the year 2012-13 was issued and further asked to send deduction statement/chart from initial year to 2011-12. The District Programme Officer (Establishment), Saran, vide letter no. 824 dated 30.06.2023 and further letter no.5173 dated 20.12.2023 informed the District Provident Fund Officer, Saran that the deduction statement had already been sent vide letter no. 315 dated 13.09.2021 and

requested to issue new authority slip.

5. In response to the aforesaid letter, the District Provident Fund Officer, Saran, vide letter no. 1501 dated 23.12.2023, clarified the position that the previously provisional account slip for the year 2012-13, amounting to Rs.5,91,391/-, was issued on 01.06.2013, without deduction of advance amount taken by the petitioner. From the deduction statement, it is evident that from 1986-87 to 2012-13, the total amounts were deposited as Rs.4,15,822/- and the petitioner had taken advance of Rs.4,00,550/-, therefore, the authority slip for payment of G.P.F. amount was calculated with interest amounting to Rs.1,26,128/-. Accordingly, the authority slip of Rs. 1,26,128/- was issued vide letter no. 515 dated 15.07.2014 and, thus, there is no dues pending for payment of G.P.F. amount, as per the calculation chart.

6. In the aforesaid premise, it is submitted that the admissible dues after deducting the advance amount has been paid to the petitioner.

7. Having considered the submissions advanced and the materials available on record, the present writ petition stands disposed of. However, if the petitioner is still aggrieved by the action of the District Provident Fund Officer, Saran, he

shall be at liberty to approach the concerned respondent for redressal of his grievance.

7. The writ petition stands disposed of with the liberty aforesaid.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.01.2024
Transmission Date	NA