

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18178 of 2021

=====

Ram Narayan Jha son of Late Raghunath Jha resident of Village- Ujan, P.S.
Sakatpur, District Dharbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department Govt. of Bihar, Patna.
2. The Director, Education Department Govt. of Bihar, Patna.
3. District Program Officer, Saksharta, Madhubani.
4. District Provident Fund Officer, Samastipur.
5. District Program Officer, Establishment, Samastipur.
6. District Program Officer, Madhymik Shiksha/ Saksharta, Samastipur.
7. Deputy Commissioner (Account) Cum District Provident Fund Officer, Purnia
8. Block Development Officer, Dighalbank Block, Kishanganj.
9. Deputy Collector, Establishment, Kishanganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Respondent/s : Mr. Kameshwar Kumar (GP-17)

=====

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 01-04-2024

Heard Mr. Bimal Kumar, learned counsel for the petitioner and Mr. Kameshwar Kumar, learned G.P.-17 representing the respondent-State.

2. The petitioner, who retired on 31.07.2016 on attaining the age of superannuation from the post of Jeep driver, has filed this writ petition against the respondent authorities for non-payment of G.P.F. amount deducted from the salary of the



petitioner.

3. The respondent no.7, Deputy Commissioner (Account) cum District Provident Fund Officer, Purnia has filed a counter affidavit, wherein, in paragraph 9 thereof, it has been stated that on the basis of deduction statement provided by the B.D.O., Dighal Bank, the District Provident Fund Officer, Purnia has issued an authority for payment of ₹2,85,148/- with interest calculated till 31.01.2017 payable to the petitioner vide letter dated 23.02.2024 to the B.D.O. Dighal Bank. It has been further stated that the District Provident Fund Officer is competent to give interest only for the period of six months from the date of retirement of an employee. For grant of an interest beyond the period of six months from the date of retirement of an employee, it is the higher authority who is competent to award the interest on the G.P.F. amount.

4. Under the circumstances, learned counsel for the petitioner submits that the instant writ petition may be disposed of with liberty granted to the petitioner to file a representation to the Director, Provident Fund Officer, Patna, Bihar for grant of interest on the G.P.F. amount to the petitioner for the period 01.02.2017 to 23.02.2024.

5. Director, Provident Fund Officer, Patna, Bihar is



not a party respondent in the instant writ petition. In that view of the matter, since the Director, Provident Fund Officer, Patna, Bihar is stated to be the higher authority for payment of interest on the G.P.F. amount beyond six months from the date of retirement of an employee, Director, Provident Fund Officer, Patna, Bihar shall be added as respondent no.10 in the instant writ petition.

6. Registry is directed to make necessary correction in the cause title by impleading Director, Provident Fund Officer, Patna, Bihar as respondent no.10.

7. Accordingly, the present writ petition is disposed of with liberty to the petitioner to file a representation as mentioned above before newly added respondent no.10, who shall consider and dispose of the same in accordance with law within a period of two months from the date of filing of such representation.

(Nani Tagia, J)

Amrendra/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	01.04.2024
Transmission Date	N/A

