

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14298 of 2023

Arvind Kumar Pathak son of Late Paramhans Pathak, C/o Raju Singh, Singh Bhawan, Resident of Mohalla- Katira, Station Road, Maharaja Hata, Police Station- Nawada, District- Bhojpur. Permanent resident of village- Kataibojh, Police Station- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through Secretary, Department of Education (Primary), Bihar, Patna.
2. The District Magistrate, Bhojpur.
3. The District Provident Fund Officer, Bhojpur, Ara.
4. The District Education Officer, Bhojpur, Ara.
5. The District Treasury Officer, Bhojpur, Ara.
6. The Block Education Officer, Jagdishpur, Bhojpur.
7. The Accountant General, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Punam Kumari Singh, Advocate
For the Respondent/s	:	Mr. Kameshwar Kumar, GP-17
		Mr. S K Ranjan, AC to GP-17
For the AG	:	Mr. Vivekanand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 04-01-2024

Heard the parties.

2. By filing the present writ petition, the petitioner seeking a direction upon the respondent, to ensure release of the provident fund contribution for the period from 16.10.2012 to 30.01.2019.

3. A counter affidavit as well as supplementary counter affidavit has been filed on behalf of the respondent no.

4. It is submitted that initially the petitioner was paid an amount



of Rs. 5,10,355/- and further Rs. 59,752/-, in the year 2019, itself, soon after his retirement. Further, after verification of the records, a fresh authority slip of Rs. 77,767/- has also been issued for payment of arrear amount of GPF to the petitioner vide Letter No. 673 dated 04.11.2023.

4. A reply to the counter affidavit has been filed on behalf of the petitioner and submission has been made that the advances shown in the calculation chart for the year 2015-2016, to the tune of Rs. 1,50,000/-, against the petitioner, is an incorrect entry and, in fact, the petitioner has never been taken advance in the year 2015-2016, which can very well be verified from the records. He next submitted that so far the other advances are concerned, the same had been adjusted in the GPF amount, through monthly contribution, which has not taken note of, while calculating the principal and interest amount, under the head of GPF. He next submitted that in the year 2016-2017, lesser amount of GPF has been deposited in his account.

5. Considering the submissions advanced on behalf of the parties and the averments made in the rejoinder to the counter affidavit filed on behalf of the petitioner, this Court directs the petitioner to file a proper representation along with the necessary documents, in support of his claim, before the



District Provident Fund Officer, Bhojpur, Ara, preferably within a period of six weeks, from today. In case, such a representation is filed, the same shall be considered after proper examination of record and dispose of by a reasoned and speaking order, within a further period of six weeks. Needless to observe that, in case, any other amount is found due, in favour of the petitioner, the same shall be paid to the petitioner within the aforesaid period.

6. This disposes the present writ petition.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.01.2024.
Transmission Date	NA

