

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18640 of 2023

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Devki Devi @ Devaki Devi Wife of Late Kapildev Pathak, resident of Ward number 24 Village-Madhurapur, P.S.-Teghra, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Finance, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Home, Government of Bihar, Patna.
3. The Secretary, Department of Finance, Government of Bihar, Patna.
4. The Administrative Officer, General Provident Fund Section, Department of Finance, Government of Bihar, Patna.
5. The Senior Superintendent of Police, District-Patna.
6. The Accountant General, Bihar, Veer Chand Patel Marg, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sonu Kumar Chaudhary, Adv.
For the Respondent/s	:	Mr. Mithilesh Kumar Upadhyay
For the AG, Bihar	:	Mr. Binod Kumar Labh, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-01-2024 Heard the parties.

2. The petitioner is claiming herself to be widow of Late Kapildev Pathak, who died in harness on 27.11.1984 while working as a Constable in Bihar Police, has filed the present writ petition, seeking a direction upon the respondent(s) to ensure payment of GPF amount of her late husband, which is remained unpaid since 39 years.

3. It is submitted on behalf of the petitioner that though the husband of the petitioner died on 27.11.1984 on account of prolonged illness, till date the GPF amount has not



been paid, though he fairly submitted that the amounts of Gratuity and other admissible dues, had already been paid to the husband of the petitioner. He next submitted that the husband of the petitioner had a GPF Account bearing No. P-48049, D.P-011636, in which the deductions have also been made from the salary of erstwhile employee. Time without number, representations were filed before the concerned office of the Superintendent of Police but to no avail, compelling the petitioner to approach before this Court.

4. At this Stage, learned counsel for the State, submitted that admittedly, the husband of the petitioner died way back on 27.11.1984 while he was working as Constable in Bihar Police and the writ petition has been filed after much belated period of more than thirty eight years.

5. Considering the submissions advanced on behalf of the parties and after perusing the materials available on record, the present writ petition stands disposed of with a liberty to the petitioner to file an appropriate representation before the respondent no.4, the Administrative Officer, General Provident Fund Section, Department of Finance, Government of Bihar, Patna, preferably within a period of four weeks from today.

6. In case, such a representation is filed, the



respondent no.4, shall consider and dispose of the same within a further period of eight weeks and also ensure payment of all the admissible GPF amount of her late husband, in accordance with law. Any rejection of the claim would be followed by reason.

(Harish Kumar, J)

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