
(2020) 06 PAT CK 0026

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 19273 Of 2017

Premdarshan Singh Diwakar

APPELLANT

Vs

State Of Bihar And Others

RESPONDENT

Date of Decision : 01-06-2020

Acts Referred:

Citation : (2020) 06 PAT CK 0026

Hon'ble Judges : Shivaji Pandey, J

Bench : Single Bench

Advocate : Sanjay Kumar Tiwari, Manish Kumar

Final Decision : Dismissed

Judgement

Shivaji Pandey, J

Heard learned counsel for the petitioner and counsel for the respondents through virtual court proceeding.

In the present case, the primal issue has been raised with regard to non-payment of G.P.F. amount to the petitioner.

The petitioner was appointed in the Sub-ordinate Judicial Service, Bihar on the post of Judicial Magistrate on 31.3.1986 and served on different posts of Sub-ordinate Judicial Service and superannuated from Higher Judicial Service serving on the post of Additional District & Sessions Judge, Munger on 31.10.2010.

The petitioner has been paid all his retiral dues except G.P.F. amount which led to filing of the present writ application. The petitioner is also getting his pension.

From the records, it appears that the application of the petitioner was forwarded to the Director, G.P.F., Government of Bihar, Patna and ultimately the payment of Rs. 21,02,775/- has been made to the petitioner in two installments, the first installment of Rs. 2,73,925/- and the another installment of Rs. 18,28,850/- having been mentioned in paragraph no.16 of the counter affidavit filed by the

respondent no.2 and stated that the entire element has been taken into consideration including the up-to-date interest.

In that view of the matter, this writ application does not survive for adjudication as the petitioner has been paid the entire due amount as stated above.

Accordingly, this writ application is dismissed as having become infructuous.

However, any amount left to be paid to the petitioner, the petitioner is given liberty to make a proper application for the same giving full details to the competent authority and he will look into the matter and take a decision in accordance with law.

This order has been passed in presence of the learned counsel for the State as well as counsel for the Patna High Court.