
(2010) 05 PAT CK 0073
In the Patna High Court
Case No : CWJC No. 15893 of 2005

Ram Sewak Singh

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 20-05-2010

Acts Referred:

Citation : (2010) 05 PAT CK 0073

Hon'ble Judges : Jyoti Saran, J

Bench : Single Bench

Judgement

Jyoti Saran, J.—Mr. Pramod Kumar, learned Counsel for the petitioner, Mr. Md. Arif, learned Assisting Counsel to SC-4 for the State and Mr. Kumar Priya Ranjan, learned Counsel representing the Accountant General are present.

2. The petitioner had earlier come before this Court for payment of his post retiral benefits having superannuated from the post of Marketing Officer with effect from 30.6.1999 and which writ petition was disposed of by a general direction by a bench of this Court by order dated 30.6.2004 passed in C.W.J.C. No. 6923 of 2004 and other analogous cases including the case filed by the petitioner bearing C.W.J.C. No. 6946 of 2004.

3. The petitioner complains that despite the direction of this Court requiring the respondents to ensure payment of the entire post retiral dues of the petitioner, yet there is some dispute as regarding the provident fund amount for the period 1967-68 to 1977-78 together with the admissible statutory interest thereon.

4. Learned Counsel, with reference to a chart present at Annexure-1, submits that the said deductions made from the salary of the petitioner have not been paid to him and in absence of the chart showing the deductions relating to the period in question, it is not definite as to whether the amounts paid to him included the amounts in question. He further submits that this writ petition could be disposed of with the direction to the authority concerned to examine the claim of the petitioner and if the said amounts have not yet been paid, it should be

paid to him together with statutory interest and if the said amounts have already been paid, then the petitioner be provide with a calculation chart deductions and interest.

5. I am of the view that the prayer made by the petitioner is very reasonable and the writ petition is disposed of with the direction to the respondent Nos. 4,5 and 6, i.e. the Director, Provident Fund, the District Provident Fund Officer, Saran at Chapra and the Accountant General, Bihar, Patna to examine the claim of the petitioner relating to the payment of the provident fund for the period 1967-68 to 1977-78 when admittedly the accounts of the provident fund was being maintained in the office of the Accountant General, and if the said amounts have not yet been paid to the petitioner, it should be provided to him within a period of three months from the date of receipt/production of a copy of this order together with up to date statutory interest calculated until the date of its payment.

6. However, if according to the respondents, the said amounts have already been paid to the petitioner, they should provide him with the calculation chart showing the details of deductions made from his salary and the interest calculated thereon.