

Kedar Prasad Vs State Of Bihar And Ors

Court: Patna High Court

Date of Decision: July 9, 2020

Hon'ble Judges: Dinesh Kumar Singh, J

Bench: Single Bench

Advocate: Arvind Prasad Singh, Madhaw Prasad Yadav

Final Decision: Disposed Of

Judgement

The Court proceeding has been conducted through virtual mode.

Heard Mr. Arvind Prasad Singh, learned counsel for the petitioner and learned GP 23 for the respondents.

The present writ application has been filed for a direction to the respondent authorities to re-calculate the Provident Fund amount of the petitioner and

payment of the same with statutory interest since the Provident Fund amount has been paid calculating it from 1986 instead of December, 1976.

The petitioner joined on the post of Assistant Teacher in the Middle School, Bhawani Chak on 20.8.1976 and retired from service from the Middle

School, Umairabad from the post of Headmaster on 31.7. 2008. The petitioner has been paid Provident Fund amount to the tune of Rs. 7,15,048/-

calculating it from the year 1986.

A counter affidavit has been filed on behalf of Respondent no. 4, the District Education Officer, Arwal, wherein stand has been taken that the District

Provident Fund Officer, Jehanabad has been directed to re-calculate the Provident Fund amount on verification of records and to pay the same

immediately. Paragraph 9 of the counter affidavit reads as follows:-

“That it is stated that the D.P.O., Jehanabad will be re-calculated the Provident Fund amount of the petitioner on the basis of verified deduction

details and service book of the petitioner and to be paid amount to the petitioner immediately.”

In view of the stand taken by the State, this writ application is disposed of with a direction to the concerned respondent authority to re-calculate the

admitted dues of the petitioner and pay the same with statutory interest with a period of two months from the date of receipt/production of a copy of

this order, failing which the concerned respondent will be responsible to make payment of due amount with further 5% interest.