



IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
BEFORE

HON'BLE SHRI JUSTICE G. S. AHLUWALIA

ON THE 8th OF APRIL, 2025

WRIT PETITION No. 5901 of 2025

C L MOURYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri D. S. Rajawat – Advocate for petitioner.

Shri S S Kushwaha – Government Advocate for respondent/State.

ORDER

This petition, under Article 226 of Constitution of India, has been filed seeking the following relief (s):

- (I) That, order annexure P/1 dated 20.12.2024 may kindly be quashed forthwith.
- (II) That, respondent no.2 may kindly be further directed to disbursed the amount in question which was deducted from the salary of petitioner.
- (III) That, other relief doing justice including cost be ordered.

2. It is submitted by counsel for petitioner that after his retirement petitioner was paid less GPF amount, therefore, he preferred Writ Petition No.33035/2024 which was disposed of by this Court with a direction to respondents to decide the



representation of petitioner by a reasoned and speaking order and communicate the outcome to petitioner. Accordingly, by order dated 20.12.2024, it was held that an order for payment of Rs.9,85,603/- towards the GPF account has already been issued on 01.10.2021. It was mentioned that thereafter petitioner made a representation for release of remaining amount, as according to petitioner he was entitled for Rs.14,35,426/- whereas he was paid only Rs.9,85,603/-. By the impugned order, it has been held that petitioner had withdrawn an amount of Rs.3,80,000/- in the month of April, 2018, which is mentioned in the GPF passbook and withdrawal list of petitioner. But since the voucher was not received from the concerning treasury, therefore, the same was not recorded in the record of office and the accounts slips for the following years were issued without deducting an amount of Rs.3,80,000/-. However, at the time of final adjudication, it was found that in the month of April, 2018, petitioner had withdrawn an amount of Rs.3,80,000/-. Accordingly, a letter was also issued to petitioner and the department on 24.03.2022 and no objection was raised either by the department or by petitioner. It was also mentioned that petitioner was also informed about this fact by letters dated 07.06.2022, 14.07.2022, 17.02.2023 and 14.08.2024 but without challenging those information/communications, petitioner is claiming payment of Rs.3,80,000/-, which cannot be done.

3. Although petitioner has filed this petition challenging the aforesaid order but in the entire writ petition he has not uttered a single word that an amount of Rs.3,80,000/- was not withdrawn by him in the month of April, 2018. In the impugned order also, it is specifically mentioned that after the information was sent by the concerning department with regard to the withdrawal of Rs.3,80,000/- in the month of April, 2018, no objection was raised. Even in this writ petition, there is no whisper that an amount of Rs.3,80,000/- was never withdrawn by petitioner in the month of April, 2018. Thus, it is clear that petitioner had



withdrawn an amount of Rs.3,80,000/- in the month of April, 2018 and the said fact is also mentioned in the pass book of petitioner as well as the withdrawal list but the same could not be entered in the record of the department on account of non-receipt of voucher from the treasury department. Thus, in absence of any challenge to the stand of the department that an amount of Rs.3,80,000/- was withdrawn by petitioner in the month of April, 2018, this Court is of considered opinion that no case is made out warranting interference.

4. Accordingly, petition fails and is hereby *dismissed*.

(G.S. Ahluwalia)
Judge