

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 677 OF 2022

Rama Chakraborty & Anr. Vrs. Tripura Forest Development Plantation Corporation Limited & 4 Ors.

Present:

For the petitioner(s) : Mr. S. Bhattacharjee, Advocate.

For the respondent(s) : Mr. Biswanath Majumder, CGC.
Mr. M. Debbarma, Addl. G.A.

HON'BLE MR.JUSTICE ARINDAM LODH

01.02.2023

Order

Heard Mr. Samarjit Bhattacharjee, learned counsel appearing for the petitioners. Also heard Mr. M. Debbarma, learned Addl. G.A. appearing for the respondent nos. 1 to 4 and Mr. B. Majumder, learned CGC appearing for the Regional Provident Fund Commissioner, respondent no.5.

The petitioner herein is an unfortunate widow. Her husband retired in the year 2015. During his life time, her husband late Diptimoy Chakraborty received provident fund benefits, gratuity etc. but, did not receive pension despite various efforts. The husband of the petitioner died in the year 2019. Thereafter, the petitioner had applied for family pension, but, ultimately, the respondents have been able to release family pension in the year 2022.

In view of this, the petitioner has filed the present writ petition claiming interest due to the harassment caused by the respondents and for delayed payment. I find that both Tripura Forest Development Plantation Corporation Limited (TFDPCL) and the office of the Regional Provident Fund Commissioner were negligent in dealing with the matter of releasing pension to late Diptimoy Chakraborty during his life and the release of family pension to the petitioners after his death in the year 2019. Records speak that both TFDPCL authority and the office of the Regional Provident Fund

commissioner exhibited casual approach in releasing pension to late Diptimoy Chakraborty during his life time and family pension to the petitioners after his death.

In this situation, in the opinion of this court, the TFDPCL and the office of the Regional Provident Fund Commissioner have no regards to the Article 21 of the Constitution of India. Their actions manifest insensitivity and for this, they jointly are liable to compensate the petitioners.

Accordingly, I direct both TFDPCL and the office of the Regional Provident Fund Commissioner to pay Rs. 15,000/- (Rupees fifteen thousand) each to the petitioners for causing harassment to the petitioners due to such delayed payment of family pension.

Today, as per order of this Court, Sri Rajashri Chakma, Regional Commissioner, Office of the Regional Provident Fund Commissioner, Agartala is present personally and has submitted that he will personally take care of all such matters in future and will try to sensitize the staff of his office to deal with such matters with all sensitivity.

I appreciate the submission of Mr. Chakma.

I also direct the Executive Director, TFDPCL to deal with the matters with highest priority and sensitivity so that no such petition is received by this court.

Now, it is made clear that both the TFDPCL and the office of the Regional Provident Fund Commissioner shall pay an amount of Rs.30,000/- (Rupees thirty thousand) i.e. Rs.15,000/- (Rupees fifteen thousand) each, to the petitioners within a period of six weeks from the date of receipt of the copy of this order.

With the aforesaid observations and directions, the instant writ petition stands disposed.

JUDGE