

GAHC010087142019



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/2690/2019

KARIM AHMED

S/O- LT ADAM ALI SHAIKH, R/O- T.R.P. ROAD, MACHKHOWA, GHY, DIST-
KAMRUP (M), ASSAM, PIN- 781009

VERSUS

THE ASSAM STATE TRANSPORT CORPORATION 5 ORS.
REP. BY ITS MANAGING DIRECTOR HAVING HIS OFFICE AT PALTAN
BAZAR, GHY, DIST- KAMRUP (M), ASSAM, PIN- 781008

2:THE MANAGING DIRECTOR
ASSAM STATE TRANSPORT CORPORATION
HAVING HIS OFFICE AT PALTANBAZAR
GHY
DIST- KAMRUP (M)
ASSAM
PIN- 781008

3:THE CHIEF ACCOUNTS OFFICER
ASSAM STATE TRANSPORT CORPORATION
HAVING HIS OFFICE AT PALTANBAZAR
GHY
DIST- KAMRUP (M)
ASSAM
PIN- 781008

4:THE ACCOUNTS OFFICER
ASSAM STATE TRANSPORT CORPORATION
HAVING HIS OFFICE AT PALTANBAZAR
GHY
DIST- KAMRUP (M)
ASSAM

PIN- 781008

5:THE DIVISIONAL ACCOUNTS OFFICER
ASSAM STATE TRANSPORT CORPORATION
HAVING HIS OFFICE AT PALTANBAZAR
GHY
DIST- KAMRUP (M)
ASSAM
PIN- 781008

6:THE EMPLOYEES PROVIDENT FUND ORGANISATION
UNDER THE MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
REP. BY THE ADDL. CENTRAL PROVIDENT FUND COMMISSIONER
NORTH EASTERN REGION (GHY) HAVING HIS OFFICE AT
BHAVISHYANIDHI BHAWAN
G.S.ROAD
NEAR BHARALU BRIDGE
BHANGAGARH
GHY
ASSAM
PIN- 78100

Advocate for the Petitioner : MR G Z AHMED

Advocate for the Respondent : SC, A S T C

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 29.07.2024

Heard Mr. G.Z. Ahmed, learned counsel for the petitioner. Also heard Mr. G.N. Sahewalla, learned Senior Counsel assisted by M. Sahewalla, learned counsel for the Assam State Transport Corporation.

As agreed to by the learned counsel for the parties, the present writ petition is taken up for final consideration and disposal.

Mr. G.Z. Ahmed, learned counsel for the petitioner at the outset has submitted that although the grievance raised in the present proceeding pertains to the action on the part of the respondent

Corporation in not depositing his CPF dues including the Employers' Contribution, for the period w.e.f 01.04.2003 to 31.08.2008 and thereafter calculating the said amount due to the petitioner along with interest only till August, 2008.

However, during the pendency of the present proceeding, the authorities of the respondent Corporation have recalculated the said amount so due to the petitioner along with applicable interest till the date of his retirement and accordingly, an amount of Rs.4,50,901.74/- was held to be due to the petitioner herein.

However, Mr. G.Z. Ahmed, learned counsel for the petitioner submits that the said amount has not been deposited in the PF account of the petitioner till date.

Mr. G.N. Sahewalla, learned counsel for the respondent Corporation, on instruction, has submitted that the amount due to the petitioner shall be so released within a period of six months from today.

Learned counsel for the petitioner has accepted the said proposal.

In view of the said submission made on behalf of the learned counsel for the parties, the present writ petition stands disposed of by directing the respondent Corporation to release to the petitioner the amount as computed towards his CPF dues i.e. Rs.4,50,901.74/- along with interest at the bank norms as applicable w.e.f. 01.09.2008 till the date of making such full and final payment.

As submitted by the learned counsel for the respondent the said amount be released to the petitioner within a period of six months from today along with interest as mentioned hereinabove.

JUDGE

Comparing Assistant