

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 9512 of 2012

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Lalita Devi Wife of Late Yogendra Prasad, Resident of Mohalla-Barh Rajawapar,
P.S.-Barh, District-Patna.

.... Petitioner/s

Versus

1. Rajya Sahkari Bhumi Vikash Bank Ltd. (Bihar & Jharkhand) Budh Marg, Patna through its Chairman.
2. The Chairman, Rajya Sahkari Bhumi Vikash Bank Ltd. (Bihar & Jharkhand) Budh Marg, Patna.
3. The Managing Director, Rajya Sahkari Bhumi Vikash Bank Ltd. (Bihar & Jharkhand) Budh Marg, Patna.
4. The Provident Fund Commissioner, Provident Fund Patna Division, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Birendra Prasad, Advocate.
For the Respondent No. 1 to 3	:	Mr. Rajesh Prasad Choudhary, Advocate.
For the E.P.F.O.	:	Mr. Prashant Sinha & Mr. S. K. Sinha, Advocates.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 29-09-2015

Nobody appears on behalf of the petitioner.

Learned counsel for the respondents no. 1 to 3 and respondent no. 4 are present.

The petitioner has moved for payment of CPF, gratuity, leave encashment and arrears of salary.

Learned counsel for the respondent Bank submits that as per the decision of the Special Bench of this Court in the case of **The Organizer, Dehri C.D. & C.M. Union Ltd. Vs. State of Bihar** reported in **2014(1) PLJR 695**, the present writ petition is not maintainable. However, on merits it is submitted that as per the scheme formulated by the Court, payment is being made strictly in accordance with the seniority and in terms of the said

scheme even the petitioner has been paid some amount. It is submitted that in future also payment in accordance with the scheme approved by the Court, without any discrimination, shall be made to the petitioner as and when the same becomes due.

Learned counsel for respondent no. 4 submits that EPF amount has been paid to the petitioner. However, from the record it transpires that despite higher amount being recommended by the Bank, payment has been made of lesser amount.

In that view of the matter, the Court directs that in case the petitioner finds that he has been paid less of EPF, he shall be at liberty to file an appropriate representation before respondent no. 4 along with a copy of this order which shall be considered in light of the decision of the Court for making such payment. If the petitioner is found entitled to any further payment, the same shall be paid to her within three weeks from the date of filing of such representation before the respondent no. 4.

Accordingly, the writ petition stands disposed off.

(Ahsanuddin Amanullah, J.)

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