

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5768 of 2003

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1. R.B.H.M.Jute-Mill,Katihar Employees and Workers Association.
Through Jag Bahadur @ Jang Bahadur Mahto.
 2. Jag Bahadur @ Jang Bahadur Mahto son of Late Dudh Nath Mahto, R/m
Dehairia Chowk (Lakshmitola) P.S. and District Katihar.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Textile, New Delhi
2. Chairman cum-Managing Director, National Jute Manufactures Corporation Ltd.
3. The Director Personnel, National Jute Manufactures Corporation Ltd.
4. Mr. S.D.Ghosh, Unit Head, Rai Bahadur Hardutt Motilal Jute Mill, Unit (RBHM Unit), Katihar.
5. Mr.A.K.Biswas, Personnel Manager (RBHM) Unit, Katihar.
6. Production Manager, (RBHM) Unit, Katihar.
7. The Regional Employee Provident fund Commissioner, Regional Provident Fund Office, Adampur Chowk, Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Sudha Ambastha, Adv.
For Respondent 2 to 5: Mrs. Sushmita Mishra, Adv.
For Respondent no.6 Mrs. Nivedita Nirvikar, Adv.
For Respondent no.7 Mr. J.P.Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 13-04-2015

Heard counsel for the petitioner and the respondents.

To-day a counter affidavit has been filed by the respondent nos. 2 to 6 stating therein that the Mill has paid Rs. 498 lacs and intimated the same vide letter dated 8.4.2006 addressed to the Assistant Provident Fund Commissioner, Bhagalpur enclosing therewith the cheques towards payment of entire employees' share and thereafter the Management also deposited Rs. 2,15,78,000/- towards Bank Draft and intimated the same vide letter dated 30th December 2006 addressed to the Assistant Provident Fund Commissioner, Bhagalpur liquidated the amount of Section 7(Q) of EPF Act, requesting to release Bank account as the

same has been attached by the Establishment.

In view of the statements made in the counter affidavit, there is no need to proceed further in the matter.

Accordingly, this petition is dismissed If the Establishment of Employees’ Provident Fund has reason to believe that still some amount is due against the Management, he may take recourse as provided under the EPF Act.

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(Shivaji Pandey, J)