

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8856 of 2010

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1. Chandra Deo Thakur S/O Late Banarsi Thakur R/O Vill.- Hassainpur,
P.S.- Balia, Distt.- Begusarai
 2. Shio Shankar Paswan S/O Late Akchay Paswan R/O Vill.- Dadpur,
P.S.- Bhagwanpur, Distt.- Begusarai
 3. Harish Chandra Rai S/O Late Rama Nand Rai R/O Vill.- Narepur Tola
Ayodhya, P.S. Bachwara, Distt.- Begusarai
 4. Shyam Nandan Singh S/O Late Satya Narayan Singh R/O Vill.-
Dularpur Naya Tola, P.S. Teghara, Distt.- Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar through Commissioner-Cum-Secretary Department
of Co-Operative, Govt. Of Bihar, New Secretariat, Patna
2. The Registrar, Department of Co-Operative Govt. Of Bihar, New
Secretariat, Patna
3. The Managing Director-Cum-Member Secretary the Begusarai Central
Co-Operative Bank Ltd., Begusarai
4. The Regional Commissioner, Provident Fund R. Block, Patna
5. The Assistant Provident Fund Commissioner New Vakalatkhana
Building, Civil Court Campus, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Aditya Narain Singh, Advocate. Mr. Satyendra Nr.Singh I
For the State	:	Mr. Sunil Kumar Mandal, SC 24 Mr. Bipin Kumar, AC to SC 24
For the Bank	:	Mr. K.K.Sinha, Advocate.
For the EPFO	:	Mr. Rama Shankar Pradhan, Sr. Advocate. Mr. Jainendra Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

4 15-05-2015 Heard learned counsel for the parties as with regard to

the following relief prayed in this writ application:

*"..... for the direction particularly to the respondent
Managing Director-cum-Member Secretary of the District*



Cadre Fund under the Central Co-operative Bank Ltd. Begusarai (respondent no. 3) to pay the amount with admissible interest under the head of provident fund to the petitioners, since all the four petitioners under Sub-Rule 1 of the Rule 33 of Bihar Co-operative Societies Rules, 1959 have right from their date of appointment as paid Manager in different Primary Agricultural Credit Societies in the district of Begusarai, deposited 6% of their salary in their provident fund Account. The contribution by the petitioner under G.P.F. head has already been credited in the provident fund account of all the petitioners and same has not been paid till date to the petitioners for no reason."

2. Mr. Aditya Narain Singh, learned counsel appearing on behalf of the petitioners , while making prayer in respect of the aforementioned relief sought by the petitioners, has explained that the petitioners while working as PACS Managers before becoming the Government servant in the year 2001 were also contributed the amount of provident fund from their salary, which was being kept by the Bank in a separate account, but then such amount of provident fund has not been paid by the Bank to the petitioner till date.

3. Mr. Kishore Kumar Sinha, learned counsel appearing on behalf of the Bank, having obtained instruction, also files a counter affidavit taking a stand that whatever amount of the provident fund of the petitioners has been deposited in the account of the Bank, shall be paid back to them along with prescribed rate

of interest within a period of four weeks from today.

4. That being so, without expressing any further opinion on the rest of the submission, this Court would direct that the amount of provident fund deducted from the salary of the petitioners should be refunded to the petitioners by the Bank with statutory interest within a period of four weeks from today along with a calculation sheet of such payment made to the individual petitioner.

5. With the aforementioned observation and direction, this writ application is disposed of.

(Mihir Kumar Jha, J)

Sujit/-

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