

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 21834 of 2013 (D)

PETITIONER(S):

**M.RAMACHANDRAN, aged 74 YEARS
S/O.LATE CHANDUKUTTY, MANAKKAT HOUSE, WEST HILL P.O.
CALICUT-5, (RETIRED DIVISIONAL ENGINEER (C)
HINDUSTAN STEEL WORKS CONSTRUCTION LTD
WIZAG STEEL PROJECT, VISAKHAPATANAM.**

BY ADV. SRI.P.V.MOHANAN

RESPONDENT(S):

- 1. REGIONAL PROVIDENT FUND COMMISSIONER
EMPLOYEES PROVIDENT FUND ORGAZNIZATION
(MINISTRY OF LABOUR GOVERNMENT OF INDIA, D.K.BLOCK
SECTOR-II, SALT LAKE CITY, CALCUTTA-700 091.**
- 2. THE ASSISTANT MANAGER
HINDUSTAN STEEL WORKS CONSTRUCTION LTD
(A GOVERNMENT OF INDIA UNDERTAKING)
5/1 COMMISSARIAT ROAD
HASTINGS, CALCUTTA-700 022.**
- 3. THE ASSISTANT MANAGER
HINDUSTAN STEEL WORKS LTD
VISAKHAPATANAM STEEL PLANT, VISHAKAPATANAM-530 031.**

**R1 BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
R1 BY ADV. SMT.T.N.GIRIJA, SC,EPF ORGANISATION
R2-R3 BY ADV. SRI.T.SANJAY,SC,HINDUSTAN STEELWORKS CO**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE PROCEEDING NO.HQ/PF (04002) DATED 13/3/1993.

EXHIBIT P2. TRUE COPY OF THE SERVICE CERTIFICATE NO.PER/VSP/IR & W / 082/93 DATGED 30/6/1993.

EXHIBIT P3. TRUE COPY OF THE PROCEEDINGS NO.HQ/PF(O4002)/1994 M-6017 DATED 14/7/1993.

EXHIBIT P4. TRUE COPY OF THE PROCEEDINGS NO.PER/VSP/ESTT/ EPF / 98/464/2201 DATED 31/10/1998.

EXHIBIT P5. TRUE COPY OF THE PROCEEDINGS REF.NO.FA/PF/557 DATED 5/3/1999.

EXHIBIT P6. TRUE COPY OF THE LETTER NO.PER/VSP/ESTT./FPE/01/822/7349 DATED 14/6/2001.

EXHIBIT P7. TRUE COPY OF THE REPRESENTATION DATED 26/12/2003

EXHIBIT P8. TRUE COPY OF THE JUDGMENT IN WPC NO.8597/2005 DATED 21/11/2011.

EXHIBIT P9. TRUE COPY OF THE REPRESENTATION DATED 10/12/2011.

EXHIBIT P10 TRUE COPY OF THE APPLICATION FORM.

EXHIBIT P11 TRUE COPY OF THE LETTER DATED 14.02.2014.

EXHIBIT P12 TRUE COPY OF THE ORDER DATED 06.02.2014.

EXHIBIT P13 TRUE COPY OF THE SUBMISSION DATED 20.02.2014.

RESPONDENT(S)' EXHIBITS: NIL

// TRUE COPY //

PA to Judge

K. VINOD CHANDRAN, J.
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W.P.(C) No.21834 of 2013 - D
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Dated this the 11th day of March, 2015

J U D G M E N T

The petitioner admittedly retired from the 2nd respondent and is entitled to pensionary benefits under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for brevity, 'EPF & MP Act') as also under the Pension Scheme operated by the 1st respondent. However, for facilitating such disbursal of retirement benefits, the 2nd respondent employer has to forward certain documents to the 1st respondent.

2. The 2nd respondent appears and submits that, the documents to be forwarded requires an application by the petitioner in Form-10-D. There were some defects in the application form and hence, the same was not forwarded to the 1st respondent. Noticing the defects, the same were returned to the petitioner.

3. The petitioner now contends that, he has cured the defects and filed a proper application which is the additional document produced herein. If the additional documents have been filed and defects are cured, there shall be a direction to the respondents 2 and 3 to expeditiously transmit the same to the 1st respondent, at any event, within three weeks from the receipt of a certified copy of this judgment. If at all there are any other further defects then, the same shall be communicated to the petitioner in writing. On receipt of the application from the 2nd respondent, the 1st respondent shall consider the disbursal expeditiously.

Writ petition disposed of. No costs.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge