

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19731 of 2015

Suresh Paswan, Son of Late Ganga Paswan, resident of village - Gohda, P.S. Ariari,
District - Sheikhpura

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food, Civil Supplies and Consumer Protection, Government of Bihar, Patna
2. The Bihar State Food and Civil Supplies Corporation Ltd., Daroga Rai Path, Patna through its Managing Director
3. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Daroga Rai Path, Patna
4. The Chief of Finance, Bihar State Food and Civil Supplies Corporation Ltd., Daroga Rai Path, Patna
5. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Nawadah

.... Respondents

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the B.S.F.F. : Mr. Shailendra Kumar Singh, Advocate
For the State : Mr. Jai Shankar Barnwal- G.A.-5

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 12-05-2016

Heard parties.

It is contended that the petitioner's father had retired on 31.05.2012 as Assistant Manager at Nawada from the Bihar State Food and Civil Supplies Corporation. He subsequently died on 02.10.2014 leaving behind six sons and mother of the petitioner. It is contended that thereafter the petitioner's mother has also died. It is stated that brothers have authorized the petitioner to file this writ application. The details of dues have been stated in paragraph 10, from which, it appears that nothing has been paid either to the retired

employee or the heirs.

This is very unfortunate that technical grounds are being taken by the learned counsel for the Bihar State Food and Civil Supplies Corporation that certain forms were not filled up by the heirs, therefore, payment has not been made as yet. It was the duty cast upon the Corporation to get those forms filled up by the heirs and not to defer the matter on mere technical ground.

Be that as it may, this Court would direct the Managing Director (Respondent no. 3) to personally look into the matter and see that the admissible dues of the concerned employee against all the heads be calculated and paid after due verification to his heirs and legal representatives. So far as amount of the Employee Provident Fund as well as pension are concerned, the Corporation would be required to immediately send the file and all the returns regarding contribution of the employee and the employer to the Respondent no. 6, who shall calculate the same and after due verification, would ensure to payment to the petitioner along with the statutory interest etc. and also to calculate the pension amount, which would be found admissible to the concerned employee. The petitioner would also be required to complete all the formalities in this regard.

The aforesaid exercise should be completed within a period of three months from the date of receipt/production of a copy

of this order by the petitioner to the Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Patna as well as the Regional Provident Fund Commissioner, Government Provident Fund.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

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