

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18859 of 2013

Paras Singh @ Paras Nath Singh S/O Late Jagdish Singh Resident Of Village-
Sahnaura, P.S.- Pandarakh, Distt.- Patna

.... Petitioner/s

Versus

1. The General Manager, Bhel Site Unit Barh (E.R.) Ntpc Branch, Barh, Patna
2. The Commissioner, Regional Provident Office, Daroga Prasad Rai Path, Patna, Bihar
3. The Proprietor, Alert Security Services, Dgr No.- S/4318, Pt No.- 47393, 'J' Cottage, Dn Das Road, Langertoli, Patna- 800004

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. BINOD PD. SINGH
For the Respondent/s : Mr. AMRENDRA NARAYAN RAI
For respondent no.2 Mr. Rajoday Satyjeet

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 24-06-2016

Heard both sides.

The writ application prays for a direction upon the respondents, particularly respondent no.2 to pay the petitioner his employee provident fund amount which was deducted by the employer.

A counter affidavit on behalf of respondent no.2 is filed. There is no rejoinder thereto.

The respondents have explained the circumstances under which the amount could not be sanctioned/paid owing to non availability of the records. Now, the records have been made available and the admissible amount payable to the petitioner has been calculated and is ready for payment subject to completion of formality i.e. providing forms 19 and 10C. This is what the respondent has stated in paragraph 7 and 8 of the counter affidavit:-

7. That the petitioner bearing Code No. BR/8037/119 has

submitted his claim Form 19 & 10C on 28/08/2012 in the office. But due to non availability of any records his claim form has been returned on 24/09/2012 at the relevant time.

8. That the establishment has submitted statutory returns in respect of Sri Paras Nath Singh on 14/10/2015. On the basis of the said return, there is outstanding balance of PF Rs. 36,608.00 in employee's share and Rs. 11,186.00 in employer's share for the peiod between 17.07.2007 to 05.10.2011."

The counsel for respondent no.2 has submitted that upon submission of the required/prescribed form duly filled up/signed, the amount payable to the petitioner shall be paid/disbursed as per the availability of funds

Having heard both sides and on perusal of the materials on records, prima facie it appears that the grievances of the petitioner have been addressed by the respondent. Let the amount payable to the petitioner be paid/disbursed forthwith upon submission of all required forms by him or his employer.

The writ application stands disposed of with the aforesaid observation.

(Kishore Kumar Mandal, J)

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