

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15207 of 2015

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Kamal Kishore Prasad, son of Late Radha Prasad, Resident of Village - Bahiro, P.S.
Nawada, Dist - Bhojpur. Petitioner

Versus

1. The Managing Director Bihar State Food Corporation, Sone Bhawan, R.Block
Patna - 1.
 2. The District Manager, Bihar State Food Corporation, Gaulakshmi, Sasaram,
District - Rohtas.
 3. The Assistant Commissioner Employ Provident Fund Organization, Regional
Office Patna. Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Respondent Nos. 1 & 2 : Mr. Amrendra Narayan Rai, Advocate
For the Respondent No.3 : Mr. Madhav Krishna, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 12-05-2016

Heard parties.

It is contended on behalf of the petitioner that after retirement on 28.02.2014 from the post of 4th Grade Employee, working in the Bihar State Food and Civil Supplies Corporation at Sasaram, Rohtas the E.P.F. amount till 2011-2012 has been calculated and paid. However, such amount after 2008-2011 till his retirement has not been paid to him. It is further contended that though on 05.06.2014 (Annexure-4 to the supplementary counter affidavit) a decision has been taken for payment of Rs. 3,50,000/- as gratuity amount and Rs. 2,20,192/- as earned leave encashment but the same amount has not been paid as yet.

Accordingly, this writ application is being disposed of with a direction to the Managing Director (Respondent no. 1) to

ensure payment of gratuity and leave encashment amount of the petitioner, in terms of Annexure-4 and to ensure the payment of all the admissible dues to the petitioner after proper verification within a period of three months from the date of receipt/production of a copy of this order. If the admissible amounts are not paid to the petitioner within the aforesaid period then the petitioner would be entitled for simple interest at the rate of eight per cent per annum upon the unpaid admissible amount from the date it became due till the date of payment. So far as G.P.F. is concerned, it appears that the Employees' Provident Fund Organization, Patna and the Respondent-Bihar State Food Corporation, Patna are playing a friendly match between themselves as the stand of G.P.F. organization is the statement regarding the G.P.F. contribution has not been sent as yet by the Corporation whereas the Corporation is saying that it has already transmitted the returns.

In above view of matter, this Court would direct both the authorities to sit together and resolve the issue and ensure that due arrear be paid within a period of three months.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

Vats/-

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