

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17837 of 2011

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Ramdeo Prasad Son Of Late Bhagwan Sahoo Resident Of Mohalla - Pahasi, Near
Rama Press, P.O.- Naya Godown, P.S.- Gaya Kotwali, District- Gaya

.... Petitioner/s

Versus

1. Bihar State Food And Civil Supply Corporation Ltd., through its Managing
Director Sone Bhawan, Beer Chand Patel Path , Patna
2. Managing Director, Sone Bhawan, Beer Chand Patel Path, Patna
3. District Manager, Bihar State Food And Civil Supply Corporation, Hazaribagh
4. Regional Provident Fund Commissioner, Hazaribagh
5. The State of Jharkhand, through Secretary, Dept. of Food Supplies &
Commissioner
6. The M.D., Jharkhand Food & Civil Supplies Corporation, Ranchi
7. Union of India, Ministry of Home Affairs, New Delhi
8. State of Bihar through the Principal Secretary, Food and Civil Supplies Deptt.
Govt. of Bihar, Patna

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 18797 of 2012

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Rajendra Prasad Son Of Late Ram Dhani Ram Resident Of Flat No. 301b, Deep
Ganga Omplex, Ashok Raj Path, P.S. - Pirbahore, District - Patna

.... Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Co-Operation Ltd. through its M.D., Sone
Bhawan, Beer Chand Patel Path, Patna
2. The Managing Director, The Bihar State Food & Civil Supplies Co-Operation

Ltd., Sone Bhawan, Beer Chand Patel Path, Patna

3. The Chief Of Finance, H.O. The Bihar State Food & Civil Supplies Co-Operation Ltd., Sone Bhawan, Beer Chand Patel Path, Patna

.... Respondent/s

With

Civil Writ Jurisdiction Case No. 11552 of 2012

Arvind Kumar Arun Son Of Late Mahabir Prasad Resident Of Village--Atramchak, P.S. Ekangar Sarai, Dist.- Nalanda At Present Residing At Shiv Nagar, Jhalpo Road, Jhumari Tilaiya, P.O. + P.S.- Jhumari Tilaiya, Dist.- Kodarma (Jharkhand)

.... Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Govt. Of Bihar, Patna
2. The State Of Jharkhand
3. Managing Director, Bihar State Food And Civil Supplies Corporation Ltd. Null Sone Bhawan, Patna
4. District Manager, State Food Corporation-1, Dhanbad
5. District Magistrate, Purnea Null State Food Corporation Ltd., Purnea
6. Assistant Commissioner, Regional Provident Fund Office, Adampur Chauk, Bhagalpur (Bihar)
7. Assistant Commissioner Regional Provident Fund Officer, Ranchi, Jharkhand
8. Jharkhand State Food And Civil Supply Corporation Ltd. 9taki Road, Hehal, Ranchi - 834005, Jharkhand, Ranchi

.... Respondent/s

Appearance :

(In CWJC No. 17837 of 2011, CWJC No. 18797 of 2012 and CWJC No. 11552 of 2012)

For the Petitioner : Mr. Shivendra Kishore, Sr. Advocate with
Mr. Binoy Kumar and
Mr. Gyanendra Kumar Ojha, Advocates

For the State : Mr. Kumar Alok, SC-8 with
Mr. S. Raza Ahmed, AC to SC-8

For the BSFC : Mr. Anjani Kumar, Sr. Advocate with
Mr. Shailendra Kumar Singh

For the State of
Jharkhand : Mr. Dhrub Mukherjee, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 08-02-2016

Heard learned counsel for the parties.

Mr. S. D. Sanjay, learned Assistant Solicitor General assisted by Mr. Rajesh Verma, learned Central Government Counsel has appeared and informed the Court that pursuant to order dated 08.12.2015, meeting was held and the exercise has been completed and the liability of the respondent Corporations of Bihar and Jharkhand shall be 50-50. However, with regard to the actual entitlement depending upon the cut off dates has to be worked out between the two Corporations as contained in letter dated 16th December, 2005 of the Government of India, Ministry of Home Affairs.

Learned counsel appearing for the Bihar Corporation has produced three cheques in the name of the petitioners which is the matching amount by the Jharkhand Corporation on the said heads.

The exercise has been conducted, especially in view of the order of the Court limited to the petitioners.

It appears that the petitioners still have some grievances with regard to the E.P.F. Directorate. Petitioner Ramdeo Prasad has also claimed Group Insurance, which according to him, has not been paid.

Learned counsel for the E.P.F. submits that there are some formalities which are required to be completed but not done so by the petitioners due to which consideration is held up.

Having considered the aforesaid, the petitioners are directed to appear before the concerned E.P.F. Commissioner within one week from today along with a copy of this order where he shall ensure that the formalities required are completed within the next three working days. Thereafter, the petitioners shall be paid their entitled dues of E.P.F. and pension, if any, within two weeks thereafter.

As far as petitioner Ramdeo Prasad is concerned, he shall appear before the respondent no. 6 with regard to his claim of Group Insurance within one week from today along with a copy of this order who shall look into the grievance and pass a reasoned order within three working days and if any payment is due to him the same shall be paid within two weeks thereafter.

It is made clear that the order passed in the present case is limited to the three petitioners and shall not be treated as precedent

in future.

The Court would like to make it clear that the payment made by the respective Corporations of Bihar and Jharkhand shall be subject to the final terms and conditions of the bifurcation of the original Corporation into the two identities.

The cheques in the name of the petitioners Ramdeo Prasad of Rs.2,71,024/-, of Rajendra Prasad for an amount of Rs. 2,63,360/- and of Arvind Kumar Arun for an amount of Rs. 3,085,95/- dated 03.02.2016 are being handed over to learned counsel appearing for the said petitioners.

The petitioners shall be entitled to the statutory interest as may be permissible under the Rules.

Writ petitions stand disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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