

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5863 of 2014

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Mostt. Sheela Devi wife of Late Ramcharitra Sah C/O Shivdani Singh, resident of Mohalla - near Electric Office, Bypass Road, P.S. - Sheikhpura, District - Sheikhpura

.... Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Ltd., Bihar, Patna through its Managing Director
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Bihar, Patna
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Munger
4. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Lakhisarai
5. The Assistant Godown Manager, Bihar State Food and Civil Supplies Corporation Ltd., Barbigha, District - Sheikhpura
6. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Sheikhpura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 17-01-2017

The petitioner has filed the present writ petition for direction upon the respondents to pay her amount of Leave Encashment, Gratuity, Contributory Provident Fund and GIC.

2. The case of the petitioner is that the deceased husband of the petitioner, who was in service in the Bihar State Food and Civil Supplies Corporation, Bihar, Patna (for short “the Corporation”), died in harness on 10.10.2011 after service for about twenty six years. Since then, the petitioner has not been paid death-cum-post retiral



benefit.

3. A counter affidavit has been filed on behalf of the Corporation wherein it has been stated that during the pendency of the application the petitioner has been paid the amount of Leave Encashment, Gratuity and GIC, but the payment of pension and Contributory Provident Fund has not been made to her as she has not submitted duly filled up Form No.10D and Form No.19.

4. Learned counsel for the Corporation would submit that if the petitioner would submit duly filled up form necessary for sanction of pension then the Corporation would immediately recommend her case to the Regional Commissioner, E.P.F., Bhagalpur for payment of pension and E.P.F. contributory amount.

5. In reply, learned counsel for the petitioner would admit that payments under the head Leave Encashment, Gratuity and GIC have already been received by the petitioner. He would submit that the petitioner being an illiterate widow of the deceased employee was not made aware of the requirements regarding submission of form for payment of pension and Contributory Provident Fund. He would submit that duly filled up form would be submitted by the petitioner within four weeks before the District Manager, Bihar State Food and Civil Supplies Corporation, Lakhisarai.

6. Having heard learned counsel for the parties, the



petitioner is directed to submit duly filled up form to the District Manager, Lakhisarai of the Corporation within four weeks. On such filing, the District Manager, Lakhisarai shall recommend the case of the petitioner for payment of pension and E.P.F. contributory amount to the Regional Commissioner, E.P.F, Bhagalpur as early as possible, but not later than four weeks.

7. With the aforesaid observation and direction, the writ petition is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	21.1.2017
Transmission Date	

