

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2229 of 2015

In

Civil Writ Jurisdiction Case No. 8829 of 2011

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Dablu Sah, son of late Sant Lal Sah, resident of Village-Ulaw, P.S.
Muffasil, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar through Sri Manoj Kumar Rajak, Chief Administrator, Bihar State Food and Civil Supplies Corporation Ltd.
2. Sri Manoj Kumar Rajak, the Chief Administrator, Bihar State Food and Civil Supplies Corporation Ltd. Sone Bhawan, 5th Floor, Birchand Patel Path, Patna-1
3. Sri Shambhu Nath Tripathi, the District Manager, BSFC, Sitamarhi, Bihar
4. Sri Nirmal Kumar Rai, the District Manager, BSFC, Begusarai, Bihar
5. Sri S.K. Jha, the Commissioner, Employees Provident Fund Organization, R-Block, Road No.06, Surpentine Road, Patna
6. Sri R.K. Sinha, the Regional Provident Fund Commissioner, E.P.F. Office, Naya Vakalatkhana Bhawan, Court Compound . Muzaffarpur, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For EPF : Mr. Prashant Sinha
For the BSFCI : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-05-2017 Heard the parties.

Matter relates to payment of death-cum-retirement benefits and legal dues of the deceased father of the petitioner.

This Court vide order dated 26.9.2014 passed in C.W.J.C. No.2011 of 2011 has directed the petitioner to file representation to the Regional Provident Fund Commissioner and Provident Fund Commissioner will be obliged to consider the same and pay the outstanding dues to the petitioner. It will



be relevant to quote relevant portion of the aforesaid order:

“In above view of the matter, the ends of justice will be met if the petitioner is directed to approach the Provident Fund Commissioner, The petitioner may make representation to the Regional Provident Fund Commissioner in the subject matter of this petition within two months from today. If such representation is made, the office of the Provident Fund Commissioner will consider the same and pay the outranking dues to the petitioner within three months from the date of the receipt of the representation.”

In pursuance thereof a show cause has been filed wherein it has been stated that the original beneficiary had two sons and one daughter and payment in 1/3rd ratio has been paid to each of them. Details have been given in paragraph 3 of the show cause. It will be relevant to quote paragraph 3 of the show cause:

“That in compliance to the order passed by this Hon’ble Court, the Provident Fund dues of the deceased subscriber was calculated and paid to three eligible family members, as per the family particulars submitted. As per the family particulars submitted by the deceased subscriber, he had two sons and one daughter, namely, Dablu Sah, Guddu Sah and Doli Devi respectively. Accordingly, the entire provident fund



amount standing in the credit of the deceased subscriber was distributed among the three children of the deceased subscriber, with each getting $\frac{1}{3}^{\text{rd}}$ of the amount. The details of payment are as follows:

- (i) Dablu Sah- Rs.71,266/- paid through cheque no.724364 dated 08.09.2015 in Bank Account No.2726321000129
- (ii) Guddu Sah-Rs. 71,278/- paid through cheque no.724365 dated 08.09.2015 in Bank Account No.27263211000136
- (iii) Doli Devi Rs.71,227/- paid through cheque no.724366 dated 10.09.2015 in Bank Account No.35201463610”

It appears that order of this Court has already complied with. In such view of the matter, this application does not survive.

Accordingly this application is dismissed as having become infructuous.

Vinay/-

(Shivaji Pandey, J)

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