

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.6007 of 2013

In

Civil Writ Jurisdiction Case No. 23084 of 2011

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1. Manjula Sinha W/O Late Radha Raman Sinha Resident Of 204, Vasudha Apartment Vivekanand Path, East Corner Of The P.P. Colony, P.S- Patliputra, District- Patna.

.... Petitioner/s

Versus

1. The Vice- Chancellor, Dr. B.R.A. Bihar University Through Vice Chancellor.``

2. Dr. Ravi Verma, Vice Chancellor, Dr. B.R.A. Bihar University, Muzaffarpur.

3. Dr. Vivekanand Shukla, Registrar, Dr. B.R.A. Bihar University, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Ambastha, Advocate

For the Respondent No.1 to 3 : Mr. Bhruv Mukherjee, Sr. Advocate
Mr. Arup Kr. Chonngdar

Md. Nazir Ansari, Sr. Advocate

For respondent No.4. : Sri Kaushlendra Kumar Sinha, Sr. Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

11 20-12-2017 In the matter of payment of provident fund dues of the employees concerned, Sri Radha Raman Sinha, who has expired, the direction issued by the Writ Court in the year 2013 has not been complied with in its totality.

When the matter was taken up, it was pointed out that with regard to settlement of provident fund account, the amount is lying in the account with the State Bank of India and, therefore, the University cannot release the payment. The State Bank of India is impleaded as respondent No.4 and from the show cause filed by



the State Bank of India, it is seen that provident fund account of the employee was closed and the amount transferred to the account of the employer, namely, the University. This is an endorsement made in the ledger book of the account as is available at page-9 of the show cause filed by the State Bank of India. However, it is the stand of the University that they have not received the amount and it is still lying with the Bank.

Accordingly, because there is an inter se dispute between the University and the Bank, the petitioner before this Court now, the widow lady, cannot be made to suffer. She has already suffered consequences. The order was passed by the Writ Court way back in the year 2013 in the writ petition filed in the year 2011 and the provident fund claim of the employee has not been settled as yet.

Taking note of the nature of dispute involved, it is directed that the entire provident fund claim of the petitioner now, widow of Radha Raman Sinha, shall be settled by the Registrar of the University by making payment of provident fund amount to her by crediting it in her bank account.

Thereafter, both the University and the Bank are free to settle their inter se dispute by adopting such procedure as may be permissible under law. As far as widow lady is concerned, she is



entitled to provident fund amount and the University authorities are directed to discharge the liability of making payment within 30 days and thereafter approached the State Bank of India, if any grievance in the mater. The revised pension, if any not paid, be also paid to the petitioner.

Thus this MJC application is disposed of.

(Rajendra Menon, CJ)

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