

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.5638 of 2013

In

Civil Writ Jurisdiction Case No. 13790 of 2010

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Surendra Mohan Pandey S/O Mundrika Pandey Resident Of Village
Saidpur, Police Station Chakmehsi, District Samastipur.

.... Petitioner

Versus

1. The State Of Bihar.
2. Sri Ashok Kumar Chauhan, The Secretary Department Of Agriculture,
Government Of Bihar, New Secretariat, Patna.
3. Sri M Saravanan, The Director, Agriculture, Bihar, New Secretariat,
Patna.
4. The Bihar State Agriculture Marketing Board (Dissolved) Through Its
Administrator Sri B. Rajendra, Pant Bhawan, Bailey Road, Patna.
5. Sri B. Rajendra, Administrator, Bihar State Marketing Board (Dissolved),
Pant Bhawan, Bailey Road, Patna.
6. Dr. M.M. Gosh, Additional Secretary Bihar State Marketing Board
(Dissolved), Pant Bhawan, Bailey Road, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Satya Narayan Mishra, Advocate

For the Respondent/s : Mr. Subodh Kumar, A.C. to S.C.26

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

18. 31-10-2018

Learned counsel for the petitioner at this stage

submits that there has been a substantial compliance of the
order of the learned writ court but he is still aggrieved
because the order has not been complied with in its true
terms and spirit.

Attention of this court has been drawn towards
Annexure-N to the 4th supplementary show cause filed on
behalf of the opposite party no. 2 to 6. This Annexure is
showing in detail the amount of deductions made on
account of the provident fund and the amount of



contribution made by the employer towards the said fund since January, 1979.

Learned counsel submits that the rate of interest provided against the provident fund deposits is not as per the rate prescribed by the government for such deposits, secondly, for the period July 1993 till August 1998, no contribution on the part of the petitioner has been shown towards the provident fund deductions which is not correct, as according to the petitioner, deductions were made from his salary for all these months towards the provident fund account.

Learned counsel for the State is present and submits that such factual aspects may be looked into if the petitioner points out this to the Administrator of the Bihar State Agriculture Marketing Board (dissolved).

In the given facts and circumstances, this contempt application is being disposed off with a liberty to the petitioner to make an appropriate application before the Administrator (opposite party no. 5) within a period of 60 days from today pointing out the above said discrepancies to him which will be considered by the Administrator with reference to the entire materials which will be available



before him and shall pass an appropriate order and directions and shall pay the admissible amount to the petitioner in order to fully comply with the directions of the learned writ court in its true terms and spirit. Such decision shall be taken by the Administrator (opposite party no. 5) within a period of 60 days from the date of filing of the representation/application. The petitioner will be at liberty to place any document which he may like to substantiate his claim.

(Rajeev Ranjan Prasad, J)

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