

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4193 of 2019

1. Sushil Thakur, S/o Late Ram Nandan Thakur, resident of village- Lalpur Raghauli, P.S.- Bisfi, Distt.- Madhubani
2. Rajeshwar Thakur, S/o Late Nirash Thakur, resident of village- Raghauli, P.S.- Bisfi, Distt.- Madhubani
3. Ram Shankar Singh S/o Sr Aditya Singh, resident of village- Raghauli, P.S.- Bisfi, Distt.- Madhubani
4. Hari Mohan Mishra S/o Late Ram Niranjan Mishra, resident of village- Kamlabari Damala, P.S.- Bisfi, Distt.- Madhubani
5. Krishna Kumar Thakur S/o Late Gyani Thakur, resident of village- Raghauli, P.S.- Bisfi, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department, Govt. of Bihar, Patna
2. The Director Hastakargha and Resham Directorate, Bihar, Patna
3. The General Manager District Industries Centre, Madhubani
4. The General Manager Pandaul Co-operative Spinning Mills Ltd., Pandaul, Distt.- Madhubani

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prabhash Ranjan Thakur, Advocate
For the Respondent/s	:	Mr.Kinkar Kumar (SC9)
		Mr. Zaki Haider, Ac to SC-9

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date : 06-03-2019

Heard learned counsel for the petitioner and learned counsel for the State.

Basically, the petitioners are seeking the arrears of salary from November, 1991 to July, 1992 and March, 2000 to December, 2012 as well as the amount of the provident fund which



has been deducted from their respective salaries having been deposited by Cooperative Spinning Mills Ltd.

The Government has established three spinning mills and Pandaul is one of them. It is a matter of fact that all the spinning mills have closed their respective production, but the question in the present case is with regard to payment of salary and the EPF benefit.

So far as the payment of salary is concerned, that will be paid by the respective Spinning Mills along with other employees of the Pandaul Cooperative Spinning Mill Ltd. As the financial condition of the Spinning Mills is very bad, this Court cannot issue mandamus for payment of their salary, but it is made clear that if the other employees will get the salary then the Management would also consider the claim of the petitioners with regard to the payment of the salary in their favour.

So far as the benefit arising from the Employees Providing Fund Scheme, the petitioners are required to move before the EPF Authority with full details and their code number which they have received from the EPF Department and make a detailed application before the Authority concerned. The Authority concerned will be obliged to look into the grievance of the petitioners and do the needful in their favour.



With this observations and directions, this petition
stands disposed of.

(Shivaji Pandey, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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