

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9408 of 2019

1. Shashi Kumar Singh Son of Late Banwari Singh Resident of Road No.74, Bhatgaon Road, Near-SBR College (West Iangarpur), P.S.-Barh, District-Patna.
2. Abhay Kant Tiwari Son of Late Rama Kant Tiwari Resident of Mohalla-Ward No.16, Chaman Lal Pokhara, P.S.-Town, District-Kaimur (Bhabua).
3. Chandrashekhar Prasad Singh Son of Late Aditya Prasad Resident of Mohalla-Jay Mahavir Basti (Road No.1), Bazar Samiti, P.S.-Bahadurpur District-Patna.
4. Suresh Prasad Singh Son of Late Suryanarayan Prasad Singh Resident of Mohalla-Ward No.4, Bhagat Tola, Uttari Maranchi, P.S.-Maranchi, District-Patna.
5. Anand Mohan Prasad Son of Late Indradeo Narayan Sinha Resident of Mohalla-E-8, Vijay Nagar, Sampatchak, P.S.-Gopalpur, District-Patna.
6. Bindeshwar Prasad Son of Late Bhattu Mahto Resident of Village-Machhaldiha, P.S.-Telhara, District-Nalanda.
7. Devendra Prasad Son of Late Bodhi Mahto Resident of Mohalla-Pallavi Colony, Sandalpur Road, P.S.-Bahadurpur, District-Patna.
8. Baijnath Prasad Son of Late Aitwari Mahto Resident of Village-Nanand, P.S. Silao, District-Nalanda.
9. Pramila Devi W/o Late Brijendra Prasad Singh Resident of Village Chak Nawada, P.S.-Barh, District-Patna.
10. Ram Sharan Ram Son of Late Laxmi Narayan Ram Resident of Tiwari Tola, P.S. Pandarak, District-Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Labour and Employment Ministry, Govt. of India, New Delhi.
2. The Secretary, Labour and Employment Ministry, Govt. of India, New Delhi.
3. The Central Provident Fund Commissioner, New Delhi.
4. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
5. The Principal Secretary, Department of Transport, Govt. of Bihar, Patna.
6. The Bihar State Road Transport Corporation through the Administrator, Birchand Patel Marg, Patna, Bihar.
7. The Administrator, Bihar State Road Transport Corporation, Birchand Patel Marg, Patna Bihar.
8. The Chief Accounts Officer, Bihar State Road Transport Corporation, Birchand Patel Marg, Patna Bihar.
9. The Regional Provident Fund Commissioner, E.P.F.O., R-Block, Patna, Bihar.



10. The Assistant Provident Fund Commissioner (P and A), Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath

For the Respondent/s : Mr. Ajay Kumar Rastogi (Aag10)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioners, learned counsel appearing on behalf of the Union of India and learned counsel appearing on behalf of the Bihar State Transport Corporation (hereinafter referred to as 'Corporation').

Learned counsel for the Union of India on behalf of the Respondent Nos. 1 and 2 submits that no relief has been claimed payable by them hence, the name of the respondent nos. 1 and 2 be expunged.

Considering the nature of the relief as made by the petitioners, the names of the respondent nos. 1 and 2 are expunged and deleted from the array of respondents.

Petitioners in the present writ application claim for payment of provident fund deducted from their account and deposited in the Employees Provident Fund Scheme along with statutory interest. He submits that the matter is no longer res integra as this Court has earlier decided a similar issue in the case of Mr. Arun Kumar Thakur & Ors. Vs. Union of India & Ors. in C.W.J.C. No. 16033 of 2016 dated 08.01.2018 as



contained in Annexure-6.

Considering the nature of claim made by the petitioners, this writ application is disposed of in terms of the decision in the case of Mr. Arun Kumar Thakur (supra) with a liberty to the petitioners to apply in a statutory proforma for being processed in the manner required under the relevant statutes of the Rules with regard to final withdrawal of their provident fund amount before the authority concerned i.e. either before the Respondent Nos. 6,7 or 8 in accordance with law in the required proforma. Upon the same being done, the authorities would look into the matter and verify it from the records. Whatever amount is found payable to the petitioners, shall be paid to them along with statutory interest in accordance with law within three months from the date of filing/completing the required formalities by the petitioners.

(Nilu Agrawal, J)

devendra/priyanka

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