

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19106 of 2019

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1. Mitendu, Son of Bhartendu Prasad Sinha, resident of Mohalla- Abulas Lane, Sri Niketan Macchua Toli P.S.- Kadamkuan Distt.- Patna.
 2. Kumar Amitabh Son of Ramkrishna Prasad, Resident of Mohalla- Sohsarai Mogal Kaun, P.S. - Sohsarai Distt- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Principal Secretary Education Department Govt. of Bihar, Patna.
3. The Director Primary Education Department Govt. of Bihar, Patna.
4. The Regional Provident Fund Commissioner, Employees Provident Fund Regional office 3rd Floor, R-Block Road No. -6, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Advocate
For the Respondent/s : Mr.Kameshwar Kumar (GP-17)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-09-2019 The grievance of the petitioners in the present writ petition is lack of sincerity in discharge of the obligation by the respondent No. 4 in the matter of deduction of EPF and deposit of contributory share of the State Government.

The Institution of Regional Provident Fund was set up for the purpose of protecting the interest of the employees. The respondent No. 4 is obliged to see that the scheme of the Employees Provident Fund & Miscellaneous Provisions Act is strictly followed and the amount is credited in the account of the employees EPF for future benefit and social security of the teachers. It is alleged that the respondent- Regional Provident



Fund Commissioner has failed to discharge his duty. Considering the avowed object of legislative scheme the Court is constrained to direct the respondent No. 4 to take step for compliance of the provisions of the Act so that the petitioners may not suffer adversely.

The writ petition is disposed of with a direction to the respondent No. 4 to see that the scheme of the Act is strictly adhered to so that the petitioners, who are working as Nagar Panchayat Teacher, Nagar Panchayat, Maner and Prakhand Teacher at Upgraded Middle School, Nalanda Vidhapit may be benefitted by the scheme of EPF. Necessary action in terms of the provisions of the Act must be taken by the respondent No. 4 at the earliest preferably within a maximum period of 60 days from the date of receipt/production of a copy of this order..

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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