

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20938 of 2018

1. Raj Narayan Prasad Singh Son of Late Ramlakhan Rai, Resident of Danapur, P.S.- Danapur, District- Patna.
2. Asharfi Ram, Son of Late Kailash Ram, Resident of Village- Renua, P.S.- Hussainganj, District- Siwan.
3. Sukhnandan Singh, Son of Late Deo Kumar Singh, Resident of Village- Rasalpur, P.S.- Rasalpur, District- Siwan.
4. Abhinandan Sharma Arun, Son of Late Jiyalal Sharma, Resident of Village- Samastipur, P.S.- Samastipur, District- Samastipur.
5. Alpana Banerje, Wife of Late Samir Kumar Banarji, Resident of Bri Bazar Purulia P.S.- Purulia, District- Purulia, West Bengal.
6. Baleshwar Singh, Son of Late Jang Bahadur Singh, Resident of Village- Jiwan Bigha, P.S. and District- Jehanabad.
7. Eti Rani Goshwami, Wife of Late B.N. Goshwami, Resident of Village- Ichadih, Resident of Village- Ichadih, P.S.- Kharsawa, District- Saraikela Jharkhand.
8. Surendar Singh Yadav, Son of Kalika Prasad Singh, Resident of Village- Sultanpur, P.S.- Danapur, District- Patna.
9. Ishafar Khatoon, Wife of Late Haidar Ali, Resident of Nisat Nagar, Wassepur Dhanbad, P.S.- Bank More, District- Dhanbad.
10. Dhup Narain Ram, Son of Late Ram Lakhan Rai, Resident of Village- Kurtha Sachai, P.S.- Kurtha, District- Arwal.
11. Gajendra Kumar Singh, Son of Late Tej Pratap Singh, Resident of Mohalla- Ram Nagari Sector-2 Phulwari, P.S.- Phulwari, District- Patna.
12. Shivji Paswan, Son of Hirdayanand Paswan, Resident of Village- Nonaur, P.S.- Agiawan, District- Bhojpur.
13. Binod Kumar Bhattacharya, Son of Late Sripati Chandra Bhattacharya, Resident of Sastitola Road Hoogly, P.S.- Hoogly Chin Sura M Hooglu, West Bengal- 712105.
14. Asha Devi, Daughter of Late Chandra Mohan Pathak, Wife of Late Nagendra Chaturvedi, Resident of Village- Hanuman Tikari, Near Jalsar, P.S.- Deoghar, District- Deoghar.
15. Radhika Devi, Wife of Late Ram Rekha Singh, Resident of Village- Dubhal, P.S.- Magadh Medical, District- Gaya.
16. Rameshwar Prasad Sinha, Son of Ragho Mahto, Resident of Village- Darkara, P.S.- Dhanveer, District- Nalanda.
17. Sakaldeep Singh, Son of Late Rajroop Singh, Resident of Village- Shankar Bigha, P.S.- Wazirganj, District- Gaya.
18. Rambali Singh, Son of Late Rambilash Singh, Resident of Village- Sankar Bigha, P.S.- Wazirganj, District- Gaya.
19. Naresh Chandra Acharya, Son of Late Jharkhandi Acharya, Resident of Village- Raipura, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Administrator, Bihar State Road Transport Corporation, Pariwahan Bhawan, Birchand Patel Marg, Patna



3. The Financial Advisor cum Chief Accounts Officer, Bihar State Road Transport Corporation Pariwahan Bhawan Birchand Patel Marg, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Nand Kishore Prasad Sinha, Advocate
For the BSRTC	:	Mr. P.K.Verma, Sr. Advocate
	:	Mr. Saroj Kumar Sharma, Advocate
For the Respondent/s	:	Mr.Sushil Kumar Singh, AC to AAG-10

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

- 4 08-04-2019 Heard the learned counsel for the petitioners, learned counsel for the State and learned counsel appearing on behalf of the Bihar State Road Transport Corporation (hereinafter referred to as 'the Corporation').

19 writ petitioners have approached this Court for payment of interest on CPF which they submit that being retired employees or widow/legal heir of the retired employees are entitled to. The payment was made in year 2016-17 and interest has been calculated only up to the year 2010.

Learned counsel for the petitioners submits that employees who had retired between 01.04.2001 to 30.06.2004 in view of the Apex Court judgment passed in Civil Appeal No.7290 of 1994 and Contempt Petition Nos.359 of 2013 and 229 of 2013 dated 03.07.2014 would even if retired from Jharkhand would be entitled for the retiral benefits from the Corporation which is Annexure-2 to the writ application. He submits that in view of the order and judgment passed by this



Court in CWJC No.9207 of 2012, the petitioners are entitled to refund of CPF accumulations with full interest up to date on the date it is paid otherwise interest has been calculated till the date the said accumulations of CPF is paid which is Annexure-3 to the writ application.

Learned counsel for the Corporation however submits that the Vice Chairman of the Union of the Employees has filed a petition which is Annexure-2 to the writ application.

Considering the nature of the claim made by the writ petitioners, let the petitioners individually file a representation before the respondent no.2, The Administrator Bihar State Road Transport Corporation, Pariwahan Bhawan, Patna with regard to the interest on CPF up to date which will be disposed of within a period of three months from the date of filing of such representation.

Any amount due to the petitioners with interest on CPF was paid to the petitioners within a month thereafter.

The writ application is disposed of accordingly in the light of the order passed in CWJC No.9207 of 2012.

B.Kr./-

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(Nilu Agrawal, J)

