

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16506 of 2017

Chandrika Ram, Son of Late Jhagaru Ram, resident of village - S.P. Kothi,
Badaki Sarimpur, Police Station Buxar, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
4. The District Magistrate, Buxar.
5. The Deputy Development Commissioner, Buxar.
6. The Chairman, Nagar Parishad, Buxar.
7. The Chief Executive Officer, Nagar Parishad, Buxar.
8. The Regional Provident Fund Officer, Employees Provident Fund Organisation, R - Block, Road No. 6, Patna-1.
9. The Assistant Provident Fund Officer, Employees Provident Fund Organisation, R - Block, Road No. 6, Patna-1.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad. Advocate
For the Respondent/s : Mr. Kinkar Kumar, SC-9

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 27-05-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard learned counsel for the petitioner; learned counsel for the State; Learned counsel for the Nagar Parishad, Buxar (hereinafter referred to as the 'Nagar Parishad') and learned counsel for the EPFO.



3. The petitioner has moved the Court for the following reliefs:

“That this is an application on behalf of petitioner for issuance of a writ of mandamus directing the respondents to make payment of retiral benefits of the petitioner like Provident Fund amounts deducted from the salary of the petitioner, Family Pension, and other consequential monetary benefits including the dues of petitioner derived from grant of ACP etc. while she was in service and other dues admissible under law and petitioner further prays for issuance of any other writ/writs, order/orders, direction/directions which the Hon’ble Court may deem fit and proper.”

4. Learned counsel for the EPFO, who has also filed counter affidavit, submitted that the petitioner was a regular employee of the Nagar Parishad and, thus, it is for the Nagar Parishad to pay the dues and EPFO has no role in the matter.

5. Learned counsel for the petitioner submitted that in similar matters, the Nagar Parishad has filed counter affidavit and has admitted the dues but has taken the stand that there is paucity of funds.

6. Learned counsel for the Nagar Parishad submitted that the admitted dues of the petitioner shall be paid.

7. Having regard to the aforesaid, the writ petition stands disposed off with a direction to the respondents no. 6 and 7 to calculate the admissible amount payable to the petitioner and also make such payment, along with statutory interest, if any, in



accordance with law, latest within a period of six weeks from the date of production of a copy of this order before them. The petitioner shall also be provided detailed calculation chart of payments made to him. If the petitioner finds any discrepancy in the calculation, he shall be at liberty to file a detailed representation, within six weeks of receiving the calculation chart from the Nagar Parishad. If such a representation is filed, the authorities shall get the matter verified from the original records and if it is found that any further amount is admissible and payable to the petitioner, the same shall also be paid to him within four weeks from the date of passing of the order.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar / Anand Kr.

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