

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21795 of 2018**

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Radhika Devi W/o late Bharat Thakur @ Bharat Hajam, Resident of
Village- Abhariya, P.O. Pipariya and P.S. Durgawati, Distt. Kaimur
(Bhabua). Petitioner

Versus

1. The Employees Provident Fund Organization through its Regional P.F. Commissioner, Regional Office, R. Block road No. 6, Patna-1
2. The Regional P.F. Commissioner, Employees Provident Fund Organization, Regional Officer, R. Block, Road No. 6, Patna-1.
3. The Assistant P.F. Commissioner (Pension), Employees P.F. Organization, Bhavishyanidhi Bhawan, R. Block road No. 6, patna-1

... .. Respondents

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Appearance :

For the Petitioner : None
For the Resp. No. 3 : Mr. Ajay Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 09-07-2020

This matter has been taken up through video conference.

2. The following reliefs as formulated by the petitioner
have been claimed in the writ petition --

“(i) For tracing out the misplaced Widow Pension Claim in Form-10D by the respondent no. 3 whereby and where claim of the petitioner for grant of monthly widow pension was misplaced.

(ii) For issuance of an appropriate writ/order/direction for commanding and directing to the respondents to start payment of monthly pension of the petitioner and pay arrears of pension from the date of death of late P.F. member.

(iii) For grant of such other relief/reliefs as the petitioner may be found entitled to in the facts and circumstances of the instant case.”

3. None appears on behalf of the petitioner when the
matter is called.

4. Learned counsel appearing on behalf of the
respondent-Employees Provident Fund Organization refers to the



counter affidavit to submit that the Widow Pension Claim Form-10D was required to be submitted which was not done by the petitioner. The stand of the petitioner that such form was filed but misplaced by the respondents has specifically been denied. In any event, the respondents assure to redress the grievance of the petitioner immediately upon receipt of the requisite claim Form-10D from the petitioner.

5. In view of the non-appearance of the petitioner and the stand of the respondents which has not been disputed in absence of any rejoinder from the petitioner, the writ petition is disposed of, granting liberty to the petitioner to file the requisite Widow Pension Claim Form-10D afresh. In such event, the Regional P.F. Commissioner, Employees Provident Fund Organization, Regional Office, Patna (respondent no. 2) shall ensure that the matter shall be considered and disposed of expeditiously. If upon such disposal, any payment is found due, the same shall be paid to the petitioner within a period of three months from the date of filing of the Widow Pension Claim Form-10D.

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	10.07.2020
Transmission Date	N.A.

(Vikash Jain, J)

