

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.169 of 2020

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Suresh Prasad S/o Mundrika Prasad Resident of Mohalla Rukanpura (Navneet Colony) near Alka Hospital, P.O.- B.V. College, P.S.- Rupaspur, District-Patna.

... .. Petitioner/s

Versus

1. Uttar Bihar Gramin Bank Kalambagh Chowk, Muzaffarpur, Bihar, through its Chairman.
2. The Chairman, Uttar Bihar Gramin Bank, Kalambagh Chowk, Muzaffarpur, Bihar.
3. The General Manager, Uttar Bihar Gramin Bank, Kalambagh Chowk, Muzaffarpur, Bihar.
4. The Regional Manager, Uttar Bihar Gramin Bank, Regional Office, Gopalganj.
5. The Branch Manager, Uttar Bihar Gramin Bank, Panchdeori Branch, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha
For the Respondent/s : Mr.Prabhakar Jha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-01-2020 Heard learned counsel for the parties.

2. The petitioner was an employee of the Uttar Bihar Gramin Bank. He retired with effect from 31.10.2018. It transpires that after his retirement, the Bank came out with Uttar Bihar Gramin Bank (Employees) Pension Regulation, 2018 (hereinafter referred to as 'the Regulation'), which was published in official Gazette on 03.12.2018, extending benefits of pension to its working/retired/deceased employees, who were in service as on 31.10.2010, subject to certain conditions. The



employees/retired employees were required to exercise their option in prescribed format and they were further required to deposit the EPF amount with interest in the pension account by first of June,2019. The petitioner admittedly did not deposit the said amount within stipulated time, though he had exercised his option within time, according to the petitioner.

3. The option exercised by the petitioner governing Pension Regulations has been rejected by the Bank on the ground that he did not deposit the EPF amount with interest within the stipulated period.

4. This writ application has been filed in the above background, seeking direction to the Bank to consider the petitioner's case for including him in the pension scheme in accordance with the Pension Regulations, 2018.

5. Mr. Jha, learned counsel appearing on behalf of the petitioner has contended that the petitioner had in fact not withdrawn the amount of provident fund after his superannuation, and, therefore, he could not have deposited the said amount for his inclusion in the pension Scheme.

6. Learned counsel for the petitioner has, however, not disputed the fact that one could become member of the Pension Scheme only after complying with the requirement



under the Regulation. He has, however, submitted that in the peculiar facts and circumstances of the present case when the petitioner had not withdrawn the E.P.F. amount, the respondents may be directed to consider the petitioner's case sympathetically. The petitioner has approached the competent authority by making a representation on 14.11.2019, which has been brought on record by way of Annexure-4 to the writ application.

7. The writ application is disposed of with an observation that let Chairman of the Bank take a decision on the petitioner's representation within three months from the date of receipt/production of a copy of this order.

(Chakradhari Sharan Singh, J)

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