

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1804 of 2020

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1. Gulam Rasool Ansari, age 65 years (M), S/o Md. Ibrahim Dalelganj, Baradari, Sasaram, Rohtas, Bihar, Pin- 821115, Date of Retirement- 30/06/2004, Security Man, Ara Dipo, Patna Division, Patna.
 2. Hasbun Nisha W/o Abdul Hannan (Employee), resident of Konasarai, PO- Biharsarif, P.S.- Laheri Thana, Nalanda, Bihar, Pin- 803101 Date of Death- 29/03/2019, Mechanic- A, Patna Division, Patna, CPF A/c no- w/895, Family Pension A/C No- 3018
 3. Mrs. Hiramani Devi W/o- Sahajanand Sharma (Employee) 6, Near Shiv Mandir, resident of Kharagpur, Beni Bigha, Patna, 801104 DOR- 30/11/2002, Traffic Clerk, Paliganj Dipo, Patna Division, Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Labour and Employment Ministry, Govt. of India, New Delhi.
2. The Secretary, The Labour and Employment Ministry, Govt. of India, New Delhi.
3. The Central Provident Fund Commissioner, New Delhi.
4. The Principal Secretary, Transport Department, Vishwariaya Bhawan, Bailey Road, Patna.
5. The Bihar State Road Transport Corporation through The Administrator, Birchand Patel Marg, Patna, Bihar.
6. The Administrator, Bihar State Road Transport Corporation, Birchand Patel Marg, Patna 800001.
7. The Regional Provident Fund Commissioner, EPFO, 'R' Block, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Jha, Advocate
For the UOI	:	Mr. S. D. Sanjay, Addl. S.G. with Mr. R. S. Pradhan, Advocate
For the State	:	Mr. Raghwendra Kumar, SC 22 with Mr. Satya Prakash, AC to SC 22
For the BSRTC	:	Mr. P. K. Verma, Sr. Advocate with Dr. Mankeshwar Tiwari, Advocate
For the EPFO	:	Mr. Prashant Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT



Date : 13-02-2020

Heard learned counsel for the petitioners; learned AC to SC 22 for the State; learned counsel for the Bihar State Road Transport Corporation (hereinafter referred to as the 'Corporation') and learned counsel for the EPFO.

2. The petitioners have moved the Court for the following relief:

“That the petitioner prays for direction/or order/or appropriate writ in the nature of Mandamus to refund the deposited amount (contribution amount either in the account of BSRTC or in account of EPFO) with statutory interest because the EPFO failed to give any benefit of pension/family pension to the writ petitioners (retired employees of BSRTC).”

3. At the very outset, learned counsel for the petitioners submitted that their case is similar to the petitioners of CWJC No. 16033 of 2016 (**Mr. Arun Kumar Thakur & Ors. vs. The Union of India & Ors.**) which was disposed off by order dated 08.01.2018 giving liberty to the petitioners to apply in the manner required under the relevant statutes/rules with regard to final withdrawal of the Provident Fund amount before the authority concerned which was directed to look into the matter and verify it from the records and whatever amount is found payable to the petitioners was to be paid to them along with statutory interest, in



accordance with law, within three months. It was submitted that the present writ petition be also disposed off in the same terms.

4. Learned counsel for the State; learned counsel for the Corporation and learned counsel for the EPFO do not dispute that the issue in the present case is identical to that in the case of **Mr. Arun Kumar Thakur** (*supra*).

5. In the aforesaid background, the writ petition stands disposed off in terms of order dated 08.01.2018 passed in CWJC No. 16033 of 2016. The same directions shall apply in the present case also.

(Ahsanuddin Amanullah, J)

Anjani/-

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