

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24715 of 2018

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Smt. Neelam Devi W/O Late Ghanshyam Mishra R/O Moh. -120, Patliputra Colony, P.S.- Patliputra, Town, District- Patna.

... .. Petitioner/s

Versus

1. Bihar State Food And Civil Supply Corporation
2. The Managing Director, Bihar State Food and Civil Supply Corporation, R - Block, Patna
3. The Chief of Administration, Food and Civil Supply Corporation R - Block, Patna
4. The District Manager, Food and Civil Supply Corporation, Munger
5. The Employee Provident Fund Organization, R- Block, Patna
6. The Regional Provident Fund Commissioner, Employee Provident Fund Organization, R- Block, Patna.
7. The Commissioner, EPF, Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dineshwar Mishra, Adv.
For EPFO	:	Mr. Satyendra Kr. Jha, Adv.
For BSFC	:	Mr. Shailendra Kr. Singh, Adv.
	:	Mr. Utkarsh Utpal, Adv.
For the Respondent/s	:	Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

14 09-11-2023

Heard the learned counsels for the parties.

The present writ petition has been filed for the following relief(s):-

“That this is an application for issuance of appropriate writ(s), order(s) or direction commanding the Respondents to make payment of EPF amount with statutory interest and arrears of pension during life time of the husband of the petitioner and for starting of pension in favour of the petitioner after death of his



husband as well as for other post retiral benefit, if not paid, as the husband of the petitioner superannuated on 31.03.2013 from the post of district Manager at Munger under Food and Civil Supply Corporation and has died on 09.09.2015 and after Superannuation, the husband of the petitioner ran from pillar to post but unfortunately his grievance was not redressed during his life time and after his sad demise. The petitioner has been left in lurch and till date her grievance has not been redressed, as such the act of the Respondents is illegal, erroneous, unjust and arbitrary in nature and therefore the same infringes under article 21 of the constitution of India.”

3. Learned counsel for the petitioner has stated that pursuant to the application made by the petitioner to the Respondent No. 4, the same has been forwarded to the office of the Employee Provident Fund. Learned counsel has stated that even though the application has been forwarded to the Employee Provident Fund along with the records, the authorities have till date not taken decision, as a result of which the petitioner is not being paid the arrears of provident funds due to the husband of the petitioner. Learned counsel has stated that direction may be issued to the Employee Provident Fund to pass necessary orders on the application of the petitioner and pay EPF amounts due to the petitioner.

4. *Per contra*, learned counsel for the respondent has



stated that they have no objection if direction is given to the EPF for passing necessary orders on the application of the petitioner and making the necessary payments if the petitioner is eligible for the same.

5. Having regard to the above made submissions, the present writ petition is disposed off with the direction to the Respondent Nos. 5 to 7 to process the application forwarded by the Respondent No. 4 as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order, if not already considered and the amounts due to the petitioner being paid. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the present writ petition stands disposed off.

(A. Abhishek Reddy, J)

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