

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7039 of 2015

Most. Jaibun Khatoon; W/o Late Tahir Hussain; Resident of Village Gobar
Sithha; P.O. Gobar Sithha; P.S. Kalyanpur; District- Samastipur

... .. Petitioner/s

Versus

1. The Union Of India through Secretary Industry Department Govt. of India,
New Delhi.
2. The General Manager Jute Corporation of India Ltd. 15N Nellie Sen Gupta
Sarani, Kolkata -700087
3. The Trustee, J.C.I. contributory Provident Fund, 15 Nellie Sen Gupta
Sarani, Kolkata -700087
4. The Regional Manager, Jute Corporation of India, N.A. 31, Purnea.
5. D.P.C. Manager (I/c), The Jute Corporation of India Ltd., Katihar DPC, At
& P.O. - Tingachhiya, District – Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Respondent/s : Mr. Sanjay Kumar, ASG

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 11-07-2023 Heard Mr. Bijay Bhushan Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Sanjay Kumar,
learned ASG for the respondents.

2. It has been informed that petitioner had made
application for voluntary retirement in accordance with the rules
and regulation of the organization, however, the same was not
accepted. The deceased employee had the status of regular
employee and as such his entitlement for receiving Contributory
Provident Fund cannot be denied in accordance with the
prevailing rules.

3. The respondent no. 3 - The Trustee, J.C.I.
contributory Provident Fund, 15 Nellie Sen Gupta Sarani,



Kolkata, must ensure to verify the records relating to the deceased employee, who is the husband of the petitioner with respect to Contributory Provident Fund and ensure the payment of the same to the petitioner on account of the death of the deceased employee while he was in service.

4. If the respondent no. 3 finds that petitioner is not entitled then in that case, a notice must be issued to the petitioner within a period of two weeks from the date of communication and, thereafter, the matter relating to the entitlement of the petitioner with respect to payment of Contributory Provident Fund must be decided within further period of four weeks after giving proper opportunity of hearing to the petitioner.

5. The payment must be made along with up-to-date statutory interest till the date of payment.

6. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/Nilmani

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