

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5370 of 2023

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Bachhi Devi Late Ramdeshwar Prasad Resident of Village-Kutlupur Bara,
P.S.-Nalanda, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Govt. of Bihar, Patna.
2. The Bihar State Food and Civil Supply Corporation Ltd. Patna through its Managing Director, Bihar, Patna.
3. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd, Patna.
4. The District Manager Rajgir, Bihar State Food and Civil Supply Corporation Ltd,
5. The Commissioner, Employees Provident Fund Organization, daroga rai Patha, Bihar, Patna. (E.P.F.)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amaresh Kumar, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4
For the EPFO	:	Mr. Rajoday Satyjeet, Advocate
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate
		Ms. Usha Kumari, Advocate
		Mr. Utkarsh Utpal, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 21-08-2023

Heard Mr. Amaresh Kumar, learned counsel appearing on behalf of the petitioner; Mr. Arvind Ujjwal, learned SC-4 appearing on behalf of the respondent; Mr. Rajoday Satyjeet, learned counsel appearing on behalf of the EPFO and Mr. Shailendra Kumar Singh, learned counsel along with Ms. Usha Kumari, learned counsel appearing on behalf of BSFC.

2. The petitioner has sought for following reliefs in



the present writ petition:-

“(i) For issuance of an appropriate writ/writs in the nature of mandamus commanding and directing the respondents to make payment of amount of Employee Provident Fund amount which was deducted from salary of petitioner’s husband but not deposited in E.P.F. Scheme, which resulted in less payment of monthly pension to her husband.

(ii) Further for a direction to the respondents to pay enhanced amount of Gratuity 650000.00 Vide Corporation letter no. 6228 dated 30.6.2017, the amount of Gratuity enhanced from 3,50,000/- to 10,00000/- 10 lakhs but they paid only 3,50,000.00/- and as such her husband was liable to pay Rs. 10,00,000.00

Petitioner’s husband Late Rameshwar Prasad retired on 30.11.2018 as IV employee from the office of respondent District Manager BSFC, Rajgir and died of CANCER on 22.12.2022 but till date they have not paid aforesaid amount.

(iii) Further for a direction to the respondents to pay suitable interest on delayed payment.

(iv) For any other relief/reliefs for which the petitioner is entitled to get in the facts and circumstances of the case.”

3. The hard copy of counter affidavit filed on behalf of respondents no. 2 to 4 and 5 are directed to be kept on record.

4. Learned counsel appearing on behalf of the petitioner informs that the petitioner has been paid substantial amount of retiral dues on different heads during the pendency of the writ petition. He further seeks to file representation with respect to the remaining amount which has not been paid to the petitioner as has been detailed in the sanction letter dated



05.08.2023.

5. Considering the aforesaid specific submission made on behalf of the petitioner, petitioner, if so advised, may file a detailed representation before the concerned authority, who shall dispose of the said representation within a period of six weeks in accordance with law.

6. The District Provident Officer, Patna is directed to collect all the requisite deduction statements from the places of posting of the petitioner and must ensure to make payment of provident fund due to the petitioner within a period of six weeks from the date of communication of this order.

7. It is stated in counter affidavit filed on behalf of respondent no.5 that so far as payment of EPF is concerned, the Regional Provident Fund Commissioner, Patna has taken steps to make payment of entire amount of contributory provident fund to the petitioner and in this regard a hard copy of the counter affidavit has also been filed on his behalf.

8. The petitioner submits that he has still having some grievance for non-payment of entire amount of EPF.

9. The petitioner, if so desires, he may file a detailed representation before the Commissioner, Employees Provident Fund Organization, Patna(respondent no. 5) for



redressal of his grievance.

10. With above observation and direction the writ
petition stands disposed of.

(Purnendu Singh, J)

Manish/-
Minu/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.08.2023
Transmission Date	NA

