

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13392 of 2021

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Hari Kishor Mishra Son of Ram Bujhawan Mishra Resident of Ward No. 10,
Barahi Bara, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Department of Finance, Government of Bihar, Patna.
3. Bihar State Agro Industries Development Corporation Ltd. Krishi Udyog Bhavan Sinha Library Road, Through the Managing Director.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Jha, Adv.
For the Respondent/s	:	Mr. Raghwendra Kumar, (Sc22)
For the Corporation	:	Mr. Arvind Kumar Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 16-01-2023 Heard learned counsel for the petitioner, counsel for the State and counsel for the Corporation.

Counsel for the petitioner has filed this application for grant of payment of his retiral dues with statutory and penal interest from the date of his retirement dated 31.03.2004. Counsel appearing for the Bihar State Agro Industries Development Corporation Ltd. submits that a counter affidavit has been filed on behalf of the Bihar State Agro Industries Development Corporation. According to him, treating the service of the petitioner till his superannuation on 31.03.2004, all admitted dues has been paid.

Counsel submits that petitioner is entitled to get his

Employees Provident Fund amount from the Regional Office. He submits that the Corporation has declared defunct by the Board of Directors w.e.f. 30.11.2017 but in the light of the decision of the Department of Finance, Government of Bihar, Patna, in its circular no. 132 dated 20.06.2018, he has to pursue before the E.P.F.O. On the other hand, counsel for the petitioner has submitted that petitioner has not been paid his salary up to year 2004, rather he has been paid up to 2002 only.

In this view of the matter, this writ application is disposed off with a liberty that petitioner shall move before the E.P.F.O. for his provident fund and in payment of his provident fund, the Corporation shall do all the needful in favour of the petitioner, so that he may receive his said dues from E.P.F.O. So far as regards to other claims pending, if any, liberty is hereby granted to the petitioner that he may represent for his grievances whatsoever he found not paid to him within 6 weeks from today and the authority shall decide his claims 8 weeks, thereafter.

With the aforesaid direction, the writ application stands disposed off.

(Dr. Anshuman, J.)

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