

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1655 of 2017

In
Civil Writ Jurisdiction Case No.21702 of 2014

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1. Sunil Lyall, Husband, Son of I.R. Lyall
 2. Shalin Lyall Son, Son of Sunil Lyall, Both resident of Flat No. 88/102, Pushpanjali Apartment, Budha Colony, Patna- 800001.
 3. Sreela Lall Daughter, Wife of Deepu Stephan Lall, Resident of Sector 4/D, Qr. No. 2116, Bokaro Steel City, State of Jharkhand- 827004.

... .. Appellant/s

Versus

1. The Union Of India, Ministry of Labour and Employment, Government of India, New Delhi through its Secretary.
2. The Central P.F. Commissioner, Employees Provident Fund Organisation, Head Office Bhawishya Nidhi B
3. Employees Provident Fund Organisation, Regional Office Bhawishya Nidhi Bhawan, R-Block, Road No. 6,
4. The Regional Provident Fund Commissioner, Employees Provident Fund organisation, Regional Office Bh
5. The Assistant Provident Fund Commissioner, Employees Provident Fund Organisation, Regional Office B
6. Baptist Church Trust Association, Head Office, 19E, Raj Niwas Marg, Delhi-110054 through Secretary
7. M/s Angus Girls School and Women's Training College, Lodipur, Budha Marg, Patna through its Secreta

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sinha, Advocate Ms. Dilkash Khan, Advocate Ms. Minu Kumari, Advocate
For the Respondent/EPFO:		Mr. Prashant Sinha, Advocate
For UOI	:	Mr. Tuhin Shankar, CGC Mr. Uma Shankar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 10-04-2023



Heard learned counsels for the respective parties.

2. In the instant L.P.A., appellants have assailed the order dated 16.10.2017 passed in C.W.J.C. No. 21702 of 2014. Deceased Mrs. Sarla Veena Lyall retired as a Principal, Angus Girls School and Women's Training College, Lodipur, Budha Marg, Patna and she claimed that she is entitled to EPF and other ancillary reliefs. The learned Single Judge has rejected the claim of the deceased employee on the score that she had not submitted her contribution towards EPF so also management of the College have not deducted the EPF contribution of both deceased employee and employer, and did not remit the same before the EPF authorities. In the absence of any material information, the claim of the deceased employee by her legal heirs is without substance. The same has been taken note of by the learned Single Judge while rejecting C.W.J.C. No. 21702 of 2014.

3. Learned counsel for the appellants submitted that Annexure - 1 and Annexure - 10 suffice that certain correspondence was in vogue. Merely there were certain correspondence, does not enure any right to the deceased employee or to her legal heirs so as to claim EPF and ancillary benefits. In the light of these facts and circumstances, appellants have not made out case so as to interfere with the learned Single



Judge order dated 16.10.2017 passed in C.W.J.C. No. 21702 of 2014.

4. Accordingly, present L.P.A. stands dismissed.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.04.2023
Transmission Date	NA

