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18.09.2023
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Ct 550

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11004 of 2015

With
CAN 1 of 2022

Bengal Motion Picture Employees' Union
Vs.
Assistant Provident Fund Commissioner, EPF,
Sub-Regional Office & Ors.

Ms. Setu Das Roy
... For the petitioner.

Ms. Aparna Banerjee
... For the provident fund authorities

Mr. Lakshman Chandra Halder
Mr. Balaram Patra
... For the respondent no.4

1. The present writ application has been filed, *inter alia*, praying for a direction upon the respondents for disbursal of provident fund dues payable to the members of the petitioner.

2. On the last occasion, when the matter was taken up for consideration, Ms. Banerjee, learned advocate representing the provident fund authorities, on instruction, submitted that a total of eight (8) members of the petitioner, who were employees of M/s. Nabarun Chitra Mandir, had submitted their respective claim forms.

3. Today, Ms. Banerjee, by relying on a e-mail communication, which she claims to have received on 16th September, 2023, submits that the provident fund

accumulations payable in favour of the seven several claimants, namely, 1) Sh. Ganesh Das, 2) Sh. Rabindra Nath Bose, 3) Sh. Tapan Chatterjee, 4) Sh. Manoj Prasad, 5) Sh. Shyamal Karmakar, 6) Sh. Paresh Mondal and 7) Sh. Mritunjoy Chakraborty have already been disbursed along with interest.

4. Ms. Das Roy, learned advocate representing the petitioner submits that insofar as one of the members of the petitioner namely, Bhola Quarashi is concerned, clarification has been sought for since, the claim application has been submitted in the name of Jiyauddin Kureshi. According to her necessary clarification has already been given by such member.

5. Ms. Banerjee submits that the said application shall also be processed and payment would be released in due course. Insofar as other deceased members of the petitioner are concerned, the provident fund authorities have already received the claim application filed by the legal heir(s) and such applications are presently under process. It is expected that the entire process shall be concluded within a period of four weeks from the date of communication of this order.

6. Having regard to the submissions made by Ms. Banerjee, and the steps taken by the provident fund authorities I am of the view at this stage it is not necessary for this Court to the monitor progress of the

claim applications filed by the legal heir of the deceased employees. The writ petition, thus, can be disposed of with a direction upon the provident fund authorities to forthwith process the pending applications including the application filed by Bhola Quarashi. It is expected that the provident fund authorities shall take a decision in the matter within a period of four weeks from date. The provident fund authorities are, however, directed to provide the respective claimants with the break up of the provident fund accumulations already disbursed in their favour along with the interest component.

7. With the above observations/directions the writ application along with the connected application stands disposed of.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of necessary formalities.

(Raja Basu Chowdhury, J.)