

30.01.2023
22+ Ct.No. 16
23
AN/
RP

FMA 449 of 2017
+
IA No. CAN 2 of 2017
(Not Found)
Shib Shankar Majumder
Vs.
Regional Provident Fund Commissioner & Ors.
With
FMA 1982 of 2014

+
IA No.2 of 2017 (Old No.CAN 3701 of 2017)

Regional Provident Fund Commissioner & Anr.
vs.
Damodar Valley Corporation & Anr.

Mr. S.C. Prasad For appellant in FMA 1982 of 2014

It appears that CAN 2 of 2017 in FMA 1982 of 2014 is not traceable. The learned advocate for the petitioner has supplied a photocopy of the application before this Court. Let the photocopy of the application be treated as original.

This application has been filed by the Regional Provident Fund Commissioner praying for direction to permit the organization to encash the Term Deposit bearing no.35710827070 for Rs.36,02,331/- dated 06.01.2017 in favour of the Employees Provident Fund Organization together with total maturity value. This direction has been sought for in the light of the orders passed by the organization dated 20th June, 2016. This order was passed pursuant to the direction issued by the Hon'ble Division Bench of this Court in MAT 1109 of 2014 on 21.03.2016.

Mr. Prasad, learned standing council for the petitioner submits that the order passed by the Assistant Provident Fund Commissioner, Sub-Regional Office, 44, Park Street, Kolkata-700016 dated 20.06.2016 has attained finality and,

therefore, the amount has to be encashed and disbursed. Such submission is placed on record. Accordingly, CAN 2 of 2017 (Old No.CAN 3701 of 2017) is allowed and the petitioner organization is granted leave to encash the term deposit mentioned above together with the total maturity value including interest thereon and utilize the same for the purpose of disbursement to the employees concerned. This direction be complied with by the Provident Fund Organization within twelve weeks from the date of receipt of the server copy of this order.

(T.S. Sivagnanam J.)

(Hiranmay Bhattacharyya, J.)