

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13765 of 2023

1. Saroj Singh Son of Late Brajnandan Singh, Resident of village - Pathraura, P.O. Birnoi, P.S. Pathraura, District - Gaya, Bihar. (Late Brajnandan Singh, Designation- Yatri Nirikshak, D.O.R.- 10.01.1993, Ranchi Division)
2. Chandeshwar Prasad, Son of Late Jivnath Prasad, Resident of Muradpur Hujra, Baidrabad, Arwal, Bihar- 804402, (Designation Driver, D.O.R. 30.06.2004, Ranchi Division).
3. Raj Balabh Singh, Son of Chandra Dev Singh, Resident of Village - Karamdih, Pandu, P.S. Pandu, Palamu, Jharkhand- 822124 (Designation Conductor, D.O.R. 31.01.2004, Ranchi Division).
4. Sardar Singh, Son of Raja Singh, Resident of Village Dighi Pokhrahi, P.O. Nabinagar, P.S. Nabinagar, District - Aurangabad, Bihar - 824301, (Designation Poddar, D.O.R. 31.01.2003 Ranchi Division).
5. Bachchu Prasad, Son of Shukar Mahto, Resident of Kisanpur, Belao, Sheikhpura, Bihar - 811101, (Designation Conductor, D.O.R. 30.08.1998, Dumka Division).
6. Husari Devi, Wife of Late Gouna Oraon, Resident of Chhota Gaghra, Hundaru, Ranchi, Jharkhand- 834003 (Late Gouna Oraon, Designation Artigen- C, Ranchi Division, Date of Death 25.03.2000)
7. Bindeshwari Prasad Singh, Son of Udit Narayan Singh, Resident of Village - Ghotari Tola, Ghotari, Jamui, Bihar- 811314, (Designation Time Keeper, D.O.R. 31.01.1999, Ranchi Division).
8. Md. Abdul Barik Khan, Son of Late Md. Rajjak Khan, Resident of village - Baida, P.S. Gurua, Chansi, Gaya, Bihar - 824205, (Disignation- Driver, D.O.R.- 31.01.2000, Ranchi Division).
9. Md. Yakub, Son of Md. Rahman Minya, Resident of Imamganj, Jamharu, Patna, Bihar - 804426, (Disignation- Conductor, D.O.R. - 24.08.2002, Dhanbad Division).
10. Serajuddin Siddiki, Son of Fajalur Rahman, Resident of Hridaychak, Fatehabad, Sohasa, Kaler, Arwal, Bihar 824127, (Designation Mechanic- C, D.O.R. 31.08.2003, Ranchi Division).
11. Durganand Jha, Son of Devnandan Jha, Resident of Ward No. 7, Lohna West, Lohna, Madhubani, Bihar - 847424, (Designation Divisional Accounts Office, D.O.R. 31.01.2000, Dhanbad Division).

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Labour and Employment Ministry, Government of India, New Delhi.
2. The Secretary, Labour and Employment Ministry, Government of India, New Delhi.
3. The Central Provident Fund Commissioner, New Delhi.
4. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.



- 5. The Principal Secretary, Transport Department, Government of Bihar, Patna.
- 6. The Bihar State Road Transport Corporation through its Administrator, Birchand Patel Marg, Patna (Bihar).
- 7. The Administrator, Bihar State Road Transport Corporation, Birchand Patel Marg, Patna.
- 8. The Chief Account Officer, Bihar State Road Transport Corporation, Birchand Patel Marg, Patna.
- 9. The Regional Provident Fund Commissioner, EPF, Office, R.Block, Patna.

... .. Respondent/s

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Appearance :		
For the Petitioner/s	:	Mr. Sameer Ranjan, Advocate
For the Respondent/s	:	Mr. Raghwendra Kumar (SC-22)
For B.S.R.T.C.	:	Mr. P.K. Verma, Sr. Advocate
		Ms. Jahanara, Advocate
For E.P.F.O.	:	Mr. Prashant Sinha, Advocate
		Mr. Rohan Verma, Advocate
For U.O.I.	:	Mr. Kumar Priya Ranjan, (C.G.C.)
		Ms. Nirmala Singh, Advocate
		Mr. Girish Nandan Abhishek, Advocate
		Mr. Sandeep Kumar, Advocate
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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 04-01-2024 Heard Mr. Sameer Ranjan, learned counsel appearing on behalf of the petitioner, Mr. Prashant Sinha, learned counsel for the E.P.F.O., Ms. Jahanara, learned counsel for the Bihar State Road Transport Corporation and Ms. Nirmala Singh, learned counsel for the Union of India. The State is represented by Mr. Raghwandra Kumar, learned standing counsel no. 22.

2. In compliance of the order of this Court, a counter affidavit has been filed on behalf of the respondent no. 6 to 8. Referring to the averments made therein, a submission has been made that out of 11 writ petitioners, 8 of the petitioners have



been paid the amount deposited with the corporation through RTGS on 11.10.2023.

3. So far 3 petitioners are concerned, it is stated that they were not members of the family pension scheme and no amount has been deducted from them. A copy of the letter no 3285 dated 11.10.2023, containing the particular of payments has been brought on record in support of the aforesaid averments.

4. It is further submitted that thereafter form 10C alongwith all relevant documents shall be sent to the Regional Provident Fund Commissioner, Patna for necessary action.

5. At this juncture, Mr. Sinha, learned counsel for the E.P.F.O. submits that in case form 10 C alongwith other relevant documents shall be furnished before the office of the E.P.F.O., the authorities will look into the matter and verify from the records and whatever amount is found payable to the petitioner shall be paid to them in accordance with law.

6. He next submits that identical matters in relation to the employees of Bihar State Road Transport Corporation has been disposed of by learned Co-ordinate Bench of this Court in C.W.J.C. No. 15430 of 2022 and the present writ petition may also be disposed in terms of the order of the learned co-ordinate



bench.

7. Considering the submissions advanced on behalf of the parties and the materials available on record, the present writ petition stands disposed of with a direction to the corporation to furnish necessary relevant documents alongwith form 10C to the office of the Regional Provident Fund Commissioner, as available in its office, so that necessary action be taken to ensure the further payment under the head of withdrawal benefit. The petitioners are also at liberty to furnish the form 10 C to the corporation who in furtherance thereof will forward the same to the office of the E.P.F.O.

8. In view thereof, the present writ petition stands disposed of with the aforesaid observation and direction.

(Harish Kumar, J)

supratim/-

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