

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17784 of 2023

1. Rajiv Kumar Choudhary son of Late Radhey Shyam Chaudhary, Resident of Nichladih, Charkanwa, P.O. and P.S. Raniganj, Aurangabad (Bihar) PIN-824125. (Late Radhey Shyam Choudhary, Designation-Assistant Yatri Nirikshak, D.O.R.-31.01.2003 from Ranchi Division of the Respondent corporation).
2. Masomat Mado, Wife of Late Ramdhani Jayaswal, Resident of Oreya, P.O. Oriya, P.S. Muffasil, Hazaribagh, (Jharkhand), PIN-825301 (Late Ramdhani Jayaswal Designation Pani Paare, D.O.R. 06.08.2002, Ranchi Division).
3. Masomat Shanti Devi, Wife of Late Janardan Sharma, Resident of Arhwan, P.O. Arhwan, P.S. Wazirganj, District Gaya, Bihar, PIN-805131, (Late Janardan Sharma, Designation Assistant Yatri Nirikshak, D.O.R. 31.10.2002, Dhanbad Division).
4. Nimai Kumar Parmanik, Son of Late Patil Pawan Pramanik, Resident of Village Shitalpur, P.O. Sirsiya, P.S. Giridih, District Giridih (Jharkhand), PIN-815302. (Designation Artigen-C, D.O.R. 31.01.2000 Dhanbad Division).
5. Rakhohari Goswami, Son of Late Ram Bhushan Goswami, Resident of Khilkanali, Bhitia, P.O. Bhitia, P.S. Govindpur, Dhanbad (Jharkhand) PIN-828109 (Designation Driver, D.O.R. 31.01.1999, 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



Appearance :

For the Petitioner/s	:	Mr. Sameer Ranjan, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy, GP- 18
		Mr. Navnit Kumar, Advocate
For the Respondent N o. 3 & 9	:	Mr. Madhav Krishna, Advocate
For the B.S.R.T.C.	:	Dr. Anand Kumar, Advocate
	:	Mr. Ranjan Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-01-2024 Heard Mr. Sameer Ranjan, learned counsel appearing on behalf of the petitioner, Mr. Madhav Krishna, learned counsel appearing on behalf of the Employees Provident Fund Organization, Mr. Navnit Kumar, learned counsel appearing on behalf of the State and Dr. Anand Kumar, learned counsel appearing on behalf of the Bihar State Road Transport Corporation.

2. The petitioners are the retired employees/ dependent of the erstwhile employees of the Bihar State Road Transport Corporation, have filed the writ petition seeking a direction upon the respondent to ensure their pension/ family pension alongwith its arrears with effect from 1988.

3. It is submitted that though amount has been deducted from the salary of the petitioners/ erstwhile employees and deposited with the Regional Provident Fund Commissioner, but till date no benefit, either of the pension/ family pension or withdrawal has been accorded to the petitioner, compelling them to approach before this Court.

4. It is submitted on behalf of the Employees Provi-



dent Fund Organization that till date the petitioners have not submitted any statutory proforma or form under Rule 10C to the employer which would further be sent to the Employees Provident Fund Organization in authenticated copy.

5. Considering the nature of the grievance, this Court deems it proper to dispose of the writ petition with a liberty to the petitioners to submit the requisite statutory form before the employer concerned, who shall forward the same to the Employees Provident Fund Organization for payment of admissible benefits.

6. Needless to observe that in case the petitioners would submit the requisite form and the same shall be sent to the office of the Employees Provident Fund Organization, they shall consider the claim of the petitioners and ensure the admissible benefit, preferably within eight weeks from the date of receipt of the statutory form.

7. This disposed the writ petition.

(Harish Kumar, J)

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