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31.07.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 20554 of 2021

Sri Tapash Kumar Das
Vs.
The Regional Provident Fund
Commissioner, Kolkata & Ors.

Mr. Ramij Munshi,
Ms. Muskan Agarwal
...for the petitioner

Mr. Shiv Chandra Prasad
...for the P.F. Authority

Mr. S.R. Saha
...for the respondent nos. 2 and 3

The grievance of the petitioner is directed against non-payment of Provident Fund accumulation and interest thereon under the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. It is an admitted position that pursuant to the filing of the writ petition, the petitioner has began receiving Provident Fund linked pension. It also appears that Provident Fund dues of the petitioner was released long prior to the filing of the present writ petition as far back as in May, 2018. This fact has been suppressed and not disclosed in the writ petition. The only grievance of the petitioner pertains to non-receipt of the statement and interest on delayed payment.

The private respondents are represented and submit that they shall furnish the entire statement of the pensionary dues to the petitioner within a period of fifteen days from the date of this order.

In view of the submissions made on behalf of the private respondents, no further order needs to be passed at this stage.

W.P.A. No. 20554 of 2021 stands disposed of by directing the private respondents to furnish a copy of the statement in respect of the petitioner's Provident Fund Account within a period of fifteen days from the date of communication of this order.

Liberty is granted to the petitioner to take necessary steps in accordance with law, if so advised, insofar as the proposed statement to be furnished by the private respondents.

The question of interest on delayed payment is left open and can only be gone into only after the petitioner receives the above Statement of Accounts from the private respondents.

There shall be no order as to costs.

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

(Ravi Krishan Kapur, J.)