

12.02.2025
Ct. No. 30
S.L No. 4
SM

WPA 1387 of 2025
Jogindar Das & Anr.
Vs
Union of India & Ors.

Mr. Debasis Sur
Mr. Subhasis Bhattacharjee
Mr. Mrinmoy Chatterjee
.....for the petitioners

Mr. Radhamohan Ray
.....for the EPFO

Heard the learned counsel for the petitioner and the respondent PF authorities.

In compliance of the order dated 29.04.2024 a letter sent to the learned advocate of the petitioners herein along with copies of representation submitted by the petitioners has been placed before this Court.

It appears from the representation dated 05.10.2024 submitted by petitioner Sk. Chand that his date of superannuation was 10.07.2022.

The representation submitted by petitioner Jogindar Das shows that his date of superannuation is 01.01.2018.

In compliance of this Court's order, it appears from the letter issued by APFC (Account Section 6) RO Park Street dated 24.09.2024 that the respondent/ company was informed as follows.

“Ref: Your letter date 10.07.2024.

In reference to the subject this is to state that this Section is in receipt of communications dated 10.07.2074. The following points need to be noted.

1. **Both the PF & Pension claim in r /o Shi Jogindar Das having PF A/c No WB/PHB/33451/31 has been settled with full payment.** *The amount of Rs. 2,92,541 has been settled as PF settlement and monthly pension Rs 2362/-is paid by PRO WBPRB00029902. The arrear of pension is Rs.1,81,874 for the period 1 Jan 2018 to 31 may 2024 in r /o Shi Jogindar Das.*

2. *The amount of Rs. 4,42,915/ has been settled as PF settlement and monthly pension Rs.3015/ is paid by PPO WEPRB00029903. The arrear of pension is Rs.68,441 for the period 1 July 2022 to 31 may 2024 in*
r/o SK Chand has also been paid.

3. *The statements of account are available in EPFO member portal which can be accessed easily. However for the member convenience the same is being attached for both the persons.*

4. *Regional Office Park Street has no record to show if any default or short remittances have been made by the employer in r/o Jogindar Das and SK Chand. Neither any complaint has been made by*

employee against the employer to this office. It needs to be understood PF remittance in ECR are made by employer on a self declaration basis and no coercive action can be initiated against the employer unless there exist verifiable prima facie evidence of malfeasance by the employer.

5. *This is for your kind information”.*

It appears that all the dues in respect of **Jogindar Das** has been paid till his date of **superannuation on 01.01.2018**. In his representation/letter Joginder Das has given his date of superannuation as 01.01.2018. As such nothing is due to the petitioner Jogindar Das for the period from January 2018 to 31st May 2024.

It further appears that in Clause 2 it has been stated that **all arrear dues in respect of Sk. Chand has been paid till 31st May 2024 that is his date of superannuation as stated by him** in his representation/letter.

Considering the said status report it appears that the relief prayed for has been granted to the petitioners and as such the writ petition stands disposed of.

Applications, if any, connected thereto stand disposed of consequently.

Interim order, if any, stands vacated.

Let a copy of this order be sent to the Trial Court at once.

Photostat certified copy of this order, if applied for, being given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]