

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6981 of 2014

Nageshwar Choudhary, Son Of Late Bauyai Lal Choudhary Resident Of Village - Tiyya, P.O. - Dadpur, P.S. Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Department Of Cooperative , Government Of Bihar, Vikas Bhawan, New Secreta
3. The Registrar Cooperative Societies, Department Of Cooperative, Government Of Bihar, Vikas Bhawan,
4. The Joint- Registrar, Cooperatives Societies, Department Of Cooperative , Patna Division, Patna Cum
5. The Regional Commissioner, Employees Provident Fund Organization, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate
For Respondent No.5 : Mr. Jai Prakash Verma, Advocate
For the State : Mr. Anuj Kumar, AC to SC-12

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 11-07-2023

Heard Mr. Ugranath Mallik, learned counsel appearing on behalf of petitioner; Mr. Jai Prakash Verma, learned counsel appearing on behalf of respondent No.5 and Mr. Anuj Kumar, learned AC to SC-13 for the State.

2. In the present writ petition the petitioner has prayed for following relief:

- “(i) Whether the respondents are justified in not paying the pensionary dues of the petitioner though they are fully aware that every employee is entitle for their pensionary dues?**
(ii) Whether the respondents are justified in not releasing the Provident fund of the petitioner



though the petitioner retired on 31.07.2012.

(iii) Whether the petitioner can be allowed to face starvation due to inaction on the part of the respondents?

(iv) Whether the act of the Respondents in not releasing the pensionary dues of the petitioner is not an arbitrary act?"

3. Learned counsel appearing on behalf of petitioner informs this Court that petitioner had superannuated on 31.07.2012 from the post of Lineman, while he was working in Fatuha-Phulwrisarif Gramya Viduyt Sahakari Samittee Limited, Patna, which was registered under the Co-operative/Society Registration Act. He further submits that the license of the society was, later on, cancelled on 06.11.1999. The petitioner seeks to file a detailed representation before the Registrar, Cooperative Societies, Department of Cooperative, Government of Bihar, Patna (Respondent No.3).

4. In view of the above submission, the petitioner, if so advised, may file a detailed representation before the respondent no.3, who is required to verify the records relating to the petitioner from the concerned Cooperative Society, where the petitioner was employed and take a final decision with respect to the claim, as has been made in the present writ petition as well as in any representation, which is pending before him on behalf of the petitioner within a period of six



weeks and direct the concerned person to make payment within stipulated period fixed by him.

5. With the above observations and directions, the present writ petition stands disposed of.

(Purnendu Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.07.2023
Transmission Date	

