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SLP(C)No. 2650 OF 2001

ITEM No.28

Court No.10

SECTION XVII
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.2650/2001

(From the judgement and order dated 19/09/2000 in LPA 1288/00
of The HIGH COURT OF PATNA)

SHAKUNTALA DEVI & ANR.

Petitioner (s)

VERSUS

STATE OF BIHAR & ORS.

Respondent (s)

(With Office Report)

Date : 22/11/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr. SB Sanyal, Sr. Adv.
Mr. Sandeep Kumar, Adv.
Mr. Vishwajit Singh, Adv.
Mr. Ritesh Agrawal, Adv.
Mr. Alok Kumar, Adv.
Mr. Ravi Kumar Verma, Adv.

For Respondent (s) Mr. B.B.Singh, adv. for State.

Mr. Sujit K. Singh, Adv. for
Mr. S.B. Upadhyay, Adv.

Mr. S. Wasim A. Qadri, Adv. for
Mr. Shail Kumar Dwivedi, Adv.

In-person (NP)

UPON hearing counsel the Court made the following
O R D E R

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.SP2

Heard learned counsel for the parties for ten
minutes.
The appeal is disposed of.

.SP1

(Suman Wadhwa) (S. Malkani)
Court Master Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2002@@

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(Arising out of S.L.P.(C)No. 2650/2001)

Shakuntala Devi & Anr.

...Appellants

Vs.

State of Bihar & Ors.

...Respondents

ORDER@@

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Leave granted.

There is no dispute that the appellants are entitled to receive Contributory Provident Fund. The only question which is pending consideration is the date with effect from which the benefit will be given. The date as submitted in the affidavit filed by the Deputy Secretary, Welfare Department, Government of Bihar, is Ist July, 2002, this is unacceptable given the fact that the benefit was made available to all other employees similarly situated from 1967 and that the appellants have been litigating in respect of their rights since 1986.

Having heard learned counsel appearing on behalf of the parties, namely, the appellants, State and the Welfare Board, we dispose of the appeal by directing :

1) that the appellants shall be entitled to the benefit of the Contributory Provident Fund w.e.f. Ist July, 1986;

-2-

2) the State of Bihar to pay the necessary contribution to the Welfare Board within a period of six weeks from the date of this order;

3) the Welfare Board will make payment to the appellants within a period of six weeks after receipt of the money from the State as directed by the previous clause.

Learned counsel appearing on behalf of the State of Bihar as well as the Board undertake to this Court on behalf of their clients that this order will be complied with within the period specified.

.SP1

.....J.
(RUMA PAL)

.....J.
(B.N.SRIKRISHNA)

New Delhi;
November 22, 2002.