

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

W.P.(S). No. 2671 of 2021

Manindra Kumar Singh ... .. Petitioner

**Versus**

1. Central Coalfields Limited, having its office at Darbhanga House, P.O.-Ranchi University, P.S.-Gonda, District-Ranchi; through its Managing Director;
2. Managing Director, Central Coalfields Limited, having its office at Darbhanga House, P.O.-Ranchi University, P.S.-Gonda, District-Ranchi;
3. Coal Mines Provident Fund Organization, Region-II, Mayfield Building, Station Road, P.O. & P.S.-Chutia, District-Ranchi; through its Regional Commissioner;
4. Regional Commissioner, Coal Mines Provident Fund Organization, Region-II, Mayfield Building, Station Road, P.O. & P.S.-Chutia, District-Ranchi;
5. Regional Commissioner, Coal Mines Provident Fund Organization, D-I, Near Police Line, Hirapur, P.O. & P.S.-Hirapur, District-Dhanbad;
6. Assistant Commissioner, Coal Mines Provident Fund Organization, Region-II, Mayfield Building, Station Road, P.O. & P.S.-Chutia, District-Ranchi;
7. Assistant Commissioner, Coal Mines Provident Fund Organization, D-I, Near Police Line, Hirapur, P.O. & P.S.-Hirapur, District-Dhanbad.

... .. Respondents

**CORAM: THE HON'BLE MR. JUSTICE DR. S.N.PATHAK  
(Through: Video Conferencing)**

For Petitioner : Mr. Rohit Ranjan Sinha, Advocate  
For C.C.L. : Mr. Nikhil Ranjan, Advocate  
For the C.M.P.F : Ms. Preity Sinha, Advocate

**04/ 08.09.2021** Heard the parties.

Petitioner has knocked the door of this Court with a limited prayer for a direction to the respondent-CMPF to forthwith release/pay the illegally withheld amount of pension, including arrears, with interest @ 18 % per annum, over and above the withheld amount besides saddling the respondents with exemplary cost and compensation.

Petitioner was initially appointed as an Overman in Bharat Coking Coal Limited. He was promoted to the post of Under Manager in E-2 grade in the pay-scale of Rs.10,750-16,750/- and his services was transferred to Central Coalfields Limited from Bharat Coking Coal. The petitioner superannuated on

30.04.2020 from the post of Manager (Mines) from the Pundi Project, Kuju Area of Central Coal Filed Limited. It is specific case of the petitioner that after superannuation the respondents have released the entire post retiral benefit but unfortunately the pension has not been fixed neither paid and as such this writ petition has been preferred.

Learned counsel for the petitioner argues that petitioner is entitled for fixation of pension and payment of post retiral benefits. Though, the petitioner has been superannuated on 30.04.2020 but his pension has not been fixed and respondent—CMPF is seating tight over the matter and as such facing hardship because of non-fixation of pension. Learned counsel further argues that respondents be saddled with a heavy cost for non-fixation of pension.

Learned counsel for the C.M.P.F, Ranchi submits that since counter affidavit has not been filed she is not aware as to why the pension has not been fixed.

Be that as it may having gone through the submissions of the parties across the bar, I hereby direct the respondent-CMPF Respondent No.3 to immediately fix the amount of pension and pay the same to the petitioner without further delay. If there is no legal impediment and pension admissible to the petitioner is not fixed within aforesaid period of six weeks, same shall carry interest @ 10 % per annum from the date pension has fallen due till date of actual payment.

Accordingly, the writ petition stands disposed of.

**(Dr. S.N. Pathak, J.)**