

Court No. - 33

Case :- WRIT - A No. - 17768 of 2023

Petitioner :- Omkar Singh Gangwar

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Varun Kumar Pandey

Counsel for Respondent :- C.S.C.,Ashok Kumar Lal

Hon'ble J.J. Munir,J.

Heard learned Counsel for the petitioner and Mr. Ashok Kumar Lal, learned Counsel appearing on behalf of respondent No.2.

In compliance with the order dated 19.10.2023, Mr. Ashok Kumar Lal, learned Counsel has filed a counter affidavit on behalf of respondent No.2. The affidavit is taken on record. Let it be numbered by the office. In Paragraph Nos.6, 7 and 8 of the said affidavit, it is averred:

“6. That respondent no.3 in view of the provision contained in Rule 5 of the Uttar Pradesh Agricultural Co-operative Credit Structure Management and Development Rules, 2006 had directed to credit the amount of Rs.2,95,586 in the account of petitioner's cadre secretary, contributory provident fund account vide order dated 25.10.2023. Copy of the communication dated 25.10.2023 by respondent no.3 is being annexed herewith and marked as **Annexure No.2** to this affidavit.

7. That it is respectfully submitted that the extract of the credit transaction made by the respondent no.3 in the account of Cadre Sachiv P.F Trust account on 27.10.2023 and extract of ledger showing the same amount debited in the petitioner's P.F account. Copy of the relevant extract of ledger account are being collectively annexed herewith and marked as **Annexure No.3** to this affidavit.

8. That it is respectfully submitted that the directions passed by the Hon'ble Court on 19.10.2023 has fully been complied with and the Employer's share in Contributory Provident Fund account of the petitioner has been credited on 27.10.2023 in pursuance of the demand of the petitioner. The delay in depositing the employer's share is not deliberate rather the same was due to lack of money in the District Administrative Committee, Bareilly Management and Development Fund account.”

The learned Counsel for the petitioner states that the petitioner has received the employer's share of contributory provident fund and that nothing further is due. Therefore, no cause of action further survives.

This petition is consigned to record.

Order on the Stay Application

This application is disposed of.

For order, see my order of date passed on the writ petition.

Order Date :- 1.11.2023

Anoop