



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 32215 OF 2025 (L-PF)

BETWEEN:

1. R. SIVAKUMAR
S/O S. RAJAGOPAL, AGED ABOUT 60 YEARS,
RESIDING AT PLOT NO. 53, D NO. 2917,
RAMALINGAPURAM, REDDY PALAYAM ROAD,
THANJAVUR, TAMIL NADU 613004.
2. P. SIVAKUMAR
S/O V. PICHUMANI, AGED ABOUT 55 YEARS,
RESIDING AT SHIVARAMKRUPA, 79A/2-1,
POOSAMARATHUKKADU, KANNANKURICHI,
SALEM, TAMIL NADU - 636008.
3. PARMINDER SINGH,
S/O BALDEV SINGH, AGED ABOUT 58 YEARS,
RESIDING AT 2/53-C SHANKAR COLONY,
NEAR CGR MALL, SRI GANGANAGAR,
RAJASTHAN 335001.
4. DILLIP KUMAR MOHARANA
S/O LATE NIRANJAN MOHARANA,
AGED 58 YEARS
RESIDING AT BIDYADHAR PUR,
NEAR GIRLS' HIGH SCHOOL, NAYA BAZAR,
CUTTACK, ODISHA - 753004.
5. E. P. SHIBU
S/O KUTTY RAMAN C,
AGED 50 YEARS
RESIDING AT PRANAVAM (H), TRA 196,
THAMARAKUZHI, MALAPPURAM, KERALA - 676505.

Digitally signed
by BELUR
RANGADHAMA
NANDINI
Location: HIGH
COURT OF
KARNATAKA



6. ASHWIN NAVANITLAL SHAH
S/O NAVANITLAL SHAH, AGED 64 YEARS
RESIDING AT 191 SHUKRAWAR PETH,
YOGESHWARPARK CO-OP HSG. SOCIETY,
FLAT NO. 18, PUNE, MAHARASHTRA - 411002.
7. DATTANI MADHUSUDAN (M. N. DATTANI)
S/O NATHALAL DATTANI,
AGED 56 YEARS RESIDING AT 11,
UMIYA SOCIETY, GIRIRAJ SOCIETY MAIN ROAD,
OPP. JAIN UPASHRAY, JUNAGADH,
GUJARAT - 362001.
8. RATHOD NIMISH KISHORCHANDRA
S/O KISHORCHANDRA BHAI,
AGED 55 YEARS RESIDING AT UTSAV,
5 PATEL COLONY, ROAD NO. 2,
OPP. RANGMATI APARTMENT, JAMNAGAR,
GUJARAT - 361008.
9. RAMESHCHANDRA MANISHKUMAR PATADIYA
S/O RAMESHCHANDRA C. PATADIYA,
AGED 51 YEARS RESIDING AT D-46,
AALAP GREEN CITY, RAIYA ROAD, RAJKOT,
GUJARAT 360005.
10. SHETH PARASKUMAR RAJINIKANTH
S/O RAJNIKANT SHETH,
AGED 55 YEARS RESIDING AT 10,
JANKI DUPLEX, NEAR REVAPARK GARDEN,
BEHIND D-MART, WAGHODIA ROAD,
VADODARA, GUJARAT - 390025.
11. VARGHESE C. V.
S/O C. R. VARGHESE, AGED 61 YEARS
RESIDING AT CHERUPILLY HOUSE,
425 A, 12/423/21, S1-ROYAL APARTMENT,
GOSAIKUNNU, ST. MARTIN STREET,
KURIACHIRA, THRISSUR, KERALA 680006.



12. UMANG KIRTIBHAI UPADHYAY
S/O KIRITKUMAR, AGED 50 YEARS
RESIDING AT EDEN A-502,
GODREJ GARDEN CITY, BEHIND NIRMA UNIVERSITY,
JAGATPUR, CHANDKHEDA, AHMEDABAD,
GUJARAT - 382470
13. JOSH Y K. S.
S/O SUBHRAMANIAN K. K.,
AGED 68 YEARS, RESIDING AT GEETHANJALI,
KATTUPARAMPIL HOUSE,
O. PATHAZHAKKADU, THRISSUR,
KERALA - 680668.
14. FIROZ KHAN N.K
S/O UMMER N. K., AGED 55 YEARS
RESIDING AT ROSE VILLA, KUTTIPPURAM POST,
MALAPPURAM DISTRICT, KERALA 679571.
15. BASIL PETER
S/O C. B. PETER, AGED 61 YEARS
RESIDING AT CHARANGHAT HOUSE,
16/1905, PATEL MARKET ROAD,
THOPPUMADY, KOCHI, KERALA 682005.
16. SRINIVASAN SESHAM
S/O LAKSHMANA SWAMY, AGED 64 YEARS
RESIDING AT PLOT NO. 16,
NEAR GATE NO. 6,
PRAJAY WATERFRONT PHASE-2,
MURAHARIPALLY, TURKAPALLY POST,
SHAMIRPET MANDAL, MEDCHAL-MALKAJIGIRI DT.,
HYDERABAD, TELANGANA 500101.
17. AMITABH CHAKRAVORTY
S/O SRI D.K. CHAKRAVORTY,
AGED 53 YEARS RESIDING AT 297,
10TH STREET, RAJENDRA NAGAR,
LUCKNOW, UTTAR PRADESH - 226004.



18. R. BHASKARAN
S/O RAJAGOPALAN, AGED 64 YEARS
RESIDING AT 5A SAI AISHWARYAM,
FLAT NO. 102, FIRST FLOOR,
RAJAJI NAGAR FIRST STREET,
RAJAJI NAGAR, THIRUVANMIYUR,
CHENNAI, TAMIL NADU - 600041.
19. VIKRANT SINGHAI
S/O K. L. JAIN, AGED 51 YEARS
RESIDING AT B-16, RSEB COLONY,
VAISHALI NAGAR, JAIPUR, RAJASTHAN 302021.
20. SUBIR DEY
S/O LATE SHREEPATHI DEY, AGED 59 YEARS
RESIDING AT NORTH OFFICE
PARA BEHIND MAA DURGA APARTMENT
DORANDA RANCHI JHARKHAND 834002.
21. PUNIT BAIJAL
S/O GOVIND PRASAD BAIJAL,
AGED 55 YEARS
RESIDING AT 13/315, MUNSHI PULIA, INDIRA
NAGAR, LUCKNOW, UTTAR PRADESH - 226016.
22. INAPURAPU SESHU KUMAR
S/O I.S.N. MURTHY, AGED 52 YEARS
RESIDING AT 4-1/57, B-301,
COMFORT HOMES, PURSHOTHAPURAM,
VISAKHAPATNAM, ANDHRA PRADESH - 530051.
23. DAKSHINAMURTHY POPURI
S/O NARAYANAMURTHY POPURI,
AGED 55 YEARS RESIDING AT 301,
SUNSHINE ENCLAVE, VARANASIVARI STREET,
TANUKU, ANDHRA PRADESH - 534211.
24. RANDHIR KUMAR
S/O LATE BIRENDRA PRASAD SINGH,
AGED 55 YEARS, RESIDING AT PROFESSOR'S



COLONY, POWER HOUSE ROAD, BEGUSARAI,
BIHAR-851101.

25. PENUGONDA NARAYANA MURTHY
S/O HARINARAYANAM,
AGED 61 YEARS RESIDING AT S-6,
MARUTI TOWERS, AYODHYA NAGAR,
PALAGANI STREET, VIJAYAWADA,
ANDHRA PRADESH - 520003.
26. MANOJ SHARMA
S/O SHREE A.K. SHARMA,
AGED 50 YEARS, RESIDING AT SA5/40 K-7,
SANJAY NAGAR COLONY,
AKTHA DAULATPUR ROAD,
VARANASI, UTTAR PRADESH - 221007.
27. MAYANK ZAVERI
S/O SHRI B.D. ZAVERI,
AGED 49 YEARS, RESIDING AT N 8/236 A53,
GANESHDHAM COLONY, NEWADA,
SUNDERPUR, VARANASI,
UTTAR PRADESH - 221005.
28. SANJAY KUMAR SINHA
S/O LATE MAHESHWAR PRASAD SINHA,
AGED 54 YEARS
RESIDING AT OPP. JAYMANGA STORE,
NEW CHANAKYA NAGAR, MAHMAD PUR,
VISHNPUR PUR, BEGUSARAI, BIHAR - 851129.
29. PRASHANT VITTHAL WANI
S/O VITTHAL LAXMAN WANI,
AGED 56 YEARS RESIDING AT 19/A,
GADGE BABA COLONY,
DATTA MANDIR CHAUK, DEOPUR, DHULE,
MAHARASHTRA - 424005.
30. TAPAN KUMAR
S/O AWADH NANDAN PRASAD



AGED 58 YEARS, RESIDING AT 63 REGENCY
GARDENS, 1F NEW PATIPUTRA COLONY PATNA
BIHAR 80013.

31. ATUL KUMAR SINHA,
S/O LATE ASHWINI KUMAR SINHA,
AGE 61 YEARS, RESIDING AT FLAT NO. 504
VASUNDHARA PALACE
ASHIANA DIGHA ROAD PATNA 80025.

...PETITIONERS

(BY SRI L MURALIDHAR PESHWA, ADVOCATE)

AND:

1. THE EMPLOYEES PROVIDENT FUND ORGANISATION
(A STATUTORY BODY UNDER THE MINISTRY OF
LABOUR AND EMPLOYMENT, UNION OF INDIA)
(REPRESENTED BY REGIONAL PROVIDENT
COMMISSIONER) HAVING ITS OFFICE AT,
2, MARUTHI COMPLEX, 1ST A MAIN, HIG A SECTOR
(NEAR SBI), YELAHANKA NEW TOWN,
BENGALURU-560064.
2. ASTRA ZENECA PHARMA INDIA LTD.,
(REGISTERED UNDER COMPANIES ACT, 1956)
HAVING ITS OFFICE AT, BLOCK N1, 12TH FLOOR,
MANYATA EMBASSY BUSINESS PARK,
RACHENAHALLI, OUTER RING ROAD,
BANGALORE-560045,
(REPRESENTED BY ITS DIRECTOR).

...RESPONDENTS

(BY SMT SHWETHA ANAND, ADVOCATE FOR R1,
SRI K N VASUKI, ADVOCATE FOR
SRI B C PRABHAKAR, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO 1. A WRIT OF MANDAMUS OR
ANY OTHER WRIT OR DIRECTIONS DIRECTING THE 1 RESPONDENT
TO APPROVE THE APPLICATIONS/JOINT DECLARATION AS SHOWN
IN ANNEX-D SERIES OF THE PETITIONERS FOR GETTING THE
HIGHER PENSION ON HIGHER WAGES AND ETC.



THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

This petition is filed seeking writ of mandamus or any other direction to direct the first respondent/Employees Provident Fund Organization to approve the applications/joint declaration marked at Annexure-D series filed by the petitioners.

2. The writ of mandamus is also sought against 1st respondent to provide the details to the petitioners relating to payment of balance amount to be paid to avail the benefits of higher pension on higher wages.

3. Heard the learned counsel appearing for the petitioners as well as the learned counsel appearing for respondent No.1/Employees Provident Fund Organization and respondent No.2/the employer of the petitioners.

4. Petitioners are the former employees of respondent No.2. This fact is not in dispute. It appears that the petitioners are making a claim under the Provisions of Employees'



Provident Funds and Miscellaneous Provisions Act, 1952 (Act, 1952) as well as the Employees' Pension Scheme, 1995 (Scheme, 1995).

5. Petitioners claim that they have made a joint application along with respondent No.2 to seek the benefit of the aforementioned Act, 1952 as well as the Scheme, 1995. In terms of the endorsement dated 24.01.2025, the petitioners claim is rejected.

6. The relevant paragraph of the said endorsement dated 24.02.2025 marked at Annexure - G reads as under:

"The applications were checked and found that the establishment has not submitted the documentary proofs till date of payment of deposit of Provident fund/Pension Fund on higher wages during whole service as mentioned in application for further processing of same".

7. It is submitted by the learned counsel for respondent No.1 that 2nd respondent is not an exempted Establishment.



8. Learned counsel appearing for the petitioner would submit that the endorsement does not assign specific reasons for rejection and endorsement is vague. It is further submitted that the records are with 1st respondent or 2nd respondent. All the documents which are necessary for processing the application under the Act, 1952 and the Scheme, 1995 are produced and the endorsement is untenable.

9. Learned counsel appearing for respondent No.2 would refer to the letter dated 24.01.2025 addressed by 1st respondent marked at Annexure-R.3. The said letter directs 2nd respondent - employer to furnish certain records relating to the contributions said to have been made to the Provident Fund Organisation.

10. The last paragraph of the said letter reads as under:

"In this regard, you are directed to submit supporting documents as stated above on the above specified points with respect to each member/ Pensioner in respect of whom you have received/ forwarded the application for Pension on Higher Wages separately, within 3 days so that the Application for Joint Option may be considered, further".



11. The 2nd respondent addressed a letter dated 28.01.2025 to 1st respondent -Provident Fund Organization seeking extension of time on the premise that the details sought for, cover more than 30 years and the data cannot be collected within a short span of 3 days and sought eight weeks time to submit the details.

12. Learned counsel for 2nd respondent would submit that after having granted 3 days time from 28.01.2025, 1st respondent has proceeded to reject the application on the very same day on 24.01.2025 without even waiting for 3 days to comply the requirement.

13. Learned counsel for 1st respondent - Organization would submit that there is no contribution made by 2nd respondent as can be seen from Annexure-D series documents. It is submitted that the documents at Annexure-D series would indicate that the contribution from November 1995 till November, 2015 is zero and contribution is reflected only from December, 2015 onwards. It is further submitted that since documents are not furnished as required, 1st respondent is justified in rejecting the application.



14. Learned counsel appearing for the petitioner and the learned counsel appearing for 2nd respondent by way of reply would submit that the documents marked at Exhibit - D series are the documents maintained by respondent No.1 and not 2nd respondent or the petitioner.

15. Learned counsel for 2nd respondent on instructions would submit that the employer has the documents to support their claim relating to the contribution made since 1995 and seeks short accommodation to furnish all those records before 1st respondent.

16. The Court has considered the contentions raised at the Bar and perused the records.

17. Admittedly, the impugned endorsement dated 24.01.2025 is passed without affording reasonable time to respondent No.2 to produce the records. The letter addressed to respondent No.2 on 24.01.2025 would indicate that 3 days time is granted to respondent No.2 to furnish the necessary records. However, the document at Annexure - G issued to the petitioner would indicate that the claim is rejected on 24.01.2025 itself.



18. The Court is also of the view that 3 days' time is not sufficient to furnish the records sought by 1st respondent, since, the records sought are relating to payment/contribution made to various employees of 2nd respondent, 1st respondent ought to have granted a reasonable time to furnish the information and the documents/data.

19. This being the position, the petition has to be allowed and appropriate direction has to be issued to 1st and 2nd respondent. Though there is no formal challenge to the endorsement dated 24.01.2025, considering the materials on record, this Court is of the view that the endorsement is untenable.

20. Hence the following:

ORDER

- (i) Writ Petition is ***allowed in part.***
- (ii) First respondent is directed to consider the application/joint declaration submitted by the petitioners and second respondent within 3 months from today.



- (iii) The second respondent shall furnish the necessary documents as contemplated under law within 30 days from today.
- (iv) The first respondent shall consider the application within 90 days from the date of receipt of the records from the second respondent.
- (v) If, for any valid reason, second respondent is not in a position to furnish the necessary documents, second respondent is at liberty to move this Court for extension of time.
- (vi) On receipt of such documents, the first respondent shall proceed to consider the claim as advised in law.

**Sd/-
(ANANT RAMANATH HEGDE)
JUDGE**

brn
List No.: 1