

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 24790 of 2013

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M/s Bharat Sanchar Nigam Ltd., Telecom District Khagaria, through its
Accounts Officer, Manoj Kumar Son of Late Mahendra Prasad Singh, aged
46 years, resident of office of T.D.M. Kachari Road, P.S. Chitragupt Nagar,
District - Khagaria

.... Petitioner

Versus

1. The Union of India through the Regional Provident Fund Commissioner,
Bhagalpur
2. The Regional Provident Fund Commissioner, Bhagalpur
3. The Assistant Provident Fund Commissioner, Adampur Chowk,
Bhagalpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kumar Shahi
For the Respondent/s : Mr. Prashant Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6. 15-09-2015 Heard Sri Alok Kumar Shahi, learned counsel for the
petitioner and Sri Prashant Sinha, learned counsel, who has
appeared on behalf of respondent/Employees Provident Fund
Organization.

In sum and substance, the petitioner, by filing the
present writ petition, has made a prayer for execution of earlier
order passed by this Court in C.W.J.C. No. 11592 of 2006,
whereby, a Bench of this Court had quashed the order passed
under Section 7-A of the Employees' Provident Funds and
Miscellaneous Provisions Act, 1952 and thereafter, remitted back
the matter for passing a fresh order with a clear stipulation that if

within specified time order is not passed, the amount earlier deducted by the Respondent shall be credited to the account of the petitioner.

It has been complained by learned counsel for the petitioner that till date, no order has been passed nor the deducted amount has been credited to the account of the petitioner.

The Court is of the opinion that once earlier in a writ petition, relief has already been granted, the second writ petition may not be entertained. Instead of filing second writ petition, the petitioner should have approached this Court with a prayer to initiate contempt proceeding.

Accordingly, the writ petition stands disposed of granting liberty to the petitioner to avail appropriate remedy.

(Rakesh Kumar, J.)

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