

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15909 of 2012

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Parmanand Prasad S/O Late Ram Sundra Prasad R/O Mohalla& P.O.-
Ashiana Nagar Colony, Phase-1, P.S.-Rajeev Nagar, Distt-Patna

.... Petitioner

Versus

1. The Union Of India Through Central Employees Provident Fund
Commissioner Govt. Of India, New Delhi
2. The Regional Employees Provident Fund Commissioner -1 Govt. Of India,
Regional Office, R-Block, Road No.-6, Patna, Bihar
3. The Regional Employees Provident Fund Commissioner I, Govt. Of India,
Regional Office, R-Block, Road No.-6, Patna, Bihar
4. The Assistant Employees Provident Fund Commissioner Pension/Accounts
Govt. Of India, Regional Office, R-Block, Road No.-6, Patna, Bihar

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondent No. 1 : Mr. Kanak Verma, C.G.C.

For R.P.F.G. : Mr. Ram Shankar Pradhan, Sr. Advocate
Mr. Jainandra Kumar

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 01-09-2015

Nobody appears on behalf of the petitioner.

Learned counsel for the respondents is present.

It is submitted by learned counsel for the respondents that earlier also the petitioner had filed C.W.J.C. No. 16031 of 2006 which was dismissed for non-prosecution on 06.05.2011. It is submitted that the present writ application has been filed for the same relief which itself is not maintainable. He draws the attention of the Court to the fact that on 14.12.2012 also the present case was dismissed for non-prosecution though later restored on 17.04.2013.

Learned counsel for the petitioner further submits that the petitioner was entitled to family pension which has already been paid under P.P.O. issued in the year 2002 itself and nothing further remains to be paid.

Thus, it is submitted that the claim for interest at the rate of 8% is not only unreasonable but also hit by delay and laches since the family pension having been paid in the year 2002, the writ petition having been filed after 10 years, should be rejected.

In view of the aforesaid facts and circumstances, the present writ application also stands dismissed for non-prosecution and also on the ground of delay and laches.

(Ahsanuddin Amanullah, J.)

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