

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3889 of 2013

In
Civil Writ Jurisdiction Case No. 298 of 2011

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1. Most. Sharda Devi w/o Late Ram Prasad Sharma
 2. Sanjay Kumar Sharma Son of Late Ram Prasad Sharma
 3. Kundan Kumar Sharma Son of Late Ram Prasad
 4. Geeta Devi daughter of Late Ram Prasad Sharma
 5. Putul Devi daughter of Late Ram Prasad Sharma

All residents of Punjabi Colony, Ward No. 6, Gali No. 1 P.O +P.S.
and Distt- Samastipur.

.... Petitioners

Versus

1. The State of Bihar.
2. Sri Rajeshwar Prasad Sinha, The Regional Provident Fund Commissioner- II, Employees Provident Fund Organization, Sub Regional Office, 1st Floor, Surya Apartment Laxmi Chowk, Muzaffarpur.

.... Opp.Parties.

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Appearance :

For the Petitioner/s : Mr. Jitendra Kishore Verma

For the Respondent/s : Mr. AC to AAG-2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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8 05-01-2015 Heard learned counsel for the petitioners, learned AC

to AAG-2 as well as Sri Madhav Krishna, learned counsel for

Opp.Party no.2.

The present petition has been filed with a prayer to
initiate contempt proceeding against Opp.Parties, particularly
against Opp.Party no.2 on an allegation of wilful disobedience to
an order dated 12.04.2012 passed by a Bench of this Court in
C.W.J.C.No.298 of 2011. By the said order, the writ court had
disposed of the writ petition granting liberty to the original

petitioner for filing representation before the concerned authority for quantifying the amount to be deposited as Provident Fund.

In this case, a show cause has been filed on behalf of Opp.Party no.2. Along with show cause, an order dated 09.04.2013 passed by the Regional Provident Fund Commissioner; Muzaffarpur has been brought on record.

Learned counsel for Opp.Party no.2 submits that in compliance with the order of the writ court, the Regional Provident Fund Commissioner has already quantified the claim of the petitioner. However, learned counsel for the petitioner submits that though the order of the writ court has been complied with, but it has been complied with partly. He submits that quantification has already been shown but regarding interest no quantification has been done.

Keeping in view the fact that the writ court has directed for quantifying for non-payment due, which has already been done, this Court may not proceed with the present proceeding. The Court is of the opinion that the order of the writ court has already been complied with in view of order dated 09.04.2013 passed by the Regional Provident Fund Commissioner, Muzaffarpur. However, if the petitioner feels aggrieved with the interest on particular rate, he would be at liberty to avail appropriate remedy.

With above observation and liberty, the petition stands
disposed of.

(Rakesh Kumar, J)

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