

IN THE PUNJAB AND HARYANA HIGH COURT
AT CHANDIGARH

CWP No.16455 of 2013

Date of Decision:08.04.2015

Municipal Employees Union Dhariwal ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Manish Dadwal, Advocate for the petitioner.

Mr. Sushant Maini, D.A.G. Punjab.

Mr. Vishal Gupta, Advocate
for respondents No.4 and 5.

Mr. Sanjay Tangri, Advocate for respondent No.6.

DEEPAK SIBAL, J. (Oral)

Through the present petition, the petitioner has approached this Court for two reliefs; firstly for issuance of direction to respondents No.1 to 5 to deposit the Provident Fund as per law and secondly to pay arrears as per the revision of the pay scale by the 5th Pay Commission.

A written statement has been filed on behalf of respondents No.4 and 5 wherein it has been stated that all the arrears, after implementation of the 5th Pay Commission have been paid to all its employees. To this, there is no rebuttal on the part of the petitioner. So far as provident fund is concerned, it is stated by respondents no.4 and 5 that they have opened the personal accounts of its employees in the Punjab National Bank at Dhariwal and they are regularly depositing the provident fund therein. This fact has also not been rebutted by the petitioner.

In view of the above, the present petition has been rendered

infructuous.

Before parting with the order, it needs to be noticed that respondent No.6-Regional Provident Fund Commissioner, Chandigarh, has filed a written statement wherein it has been stated that in the provident fund so deposited by respondents no.4 and 5 qua its employees, there is some deficiency and for that purpose, they have initiated proceedings under Section 7-A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952. Those proceedings are stated to be pending.

That being so, the proceedings be taken to its logical end in accordance with the provisions of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952.

The writ petition stands disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

08.04.2015
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