

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.824 of 2014

IN

Miscellaneous Jurisdiction Case No. 2005 of 2013

- =====
1. The Union of India through the Secretary, Ministry of Labour, New Delhi.
 2. The Secretary, Ministry of Finance, Govt. of India, New Delhi.
 3. Shri B.K. Samariya, the Chief Labour Commissioner, Govt. of India, New Delhi.

.... Appellants.

Versus

1. Bihar Rajya Chini Mill Shramik Maha Sangh having its office at 6, L.F. Block 2, Flat No. 69, Bahadurpur Housing Colony, Agamkuan, Bhoot Nath Road, Patna through the President Balram Singh.
2. Balram Singh, S/o Late Ramanand Singh, Resident of Bedaul Baji, P.S. Purnahiya, District Sheohar, at present posted as Head Fitter, Riga Sugar Col. Ltd., Dhanuk Gram, Riga and also President of Petitioner No. 1.
3. Shri Ashok Kumar Chauhan, the Principal Secretary, Department of Labour and Employment, Bihar, Patna.
4. Shri Ashok Kumar Chauhan, the Secretary-cum-Labour Commissioner, Bihar, Patna.
5. Shri Chandramauli Chakravorty, the Provident Fund Commissioner, Bihar, Patna.
6. Shri Anil Swaroop, the Provident Fund Commissioner, Govt. of India, New Delhi.

.... Respondent/s

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Appearance :

For the Appellants : Mr. Binay Kumar Pandey, Advocate.
For the State : Mr. Anirudh Kumar Singh, AC to GP-XXV.
For the Respondent Nos.5 & 6 : M/s. Rajiv Kumar Verma, Senior Advocate & Prasant Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

Date: 09-11-2016

Heard learned counsel for the appellants, learned
counsel for respondent nos.3 and 4, learned counsel for respondent
nos. 5 and 6 as also learned counsel for the State. None appears



on behalf of the respondent nos.1 and 2.

2. This appeal has been filed on behalf of the appellants against the order dated 02.04.2014 passed in M.J.C. No.2005 of 2013 by a learned Single Judge of this Court by which it was directed that the matter be put up after summer vacation on 18.06.2014 by which date if notification granting one time 5% relief to the pensioners of EPS 1995 is not issued, the Secretary to the Government of India in the Finance Department will appear before this Court.

3. It is submitted by learned counsel for the appellants that Office Memorandum dated 21.01.2014 issued by the Department of Expenditure, Ministry of Finance, Government of India, for enhancing the pension to the pensioners had been forwarded to the Ministry of Labour and Employment for approval and when the decision was taken, the copy of the Notification dated 19.08.2014 issued by the Ministry of Labour and Employment has been brought on the record by which the pension of the pensioners has been enhanced. Thus, it is submitted that in view of the Office Memorandum dated 21.01.2014, the contempt application bearing M.J.C. No.2005 of 2013 may be disposed of.

4. In the light of the aforesaid submission of learned



counsel for the appellants, this Appeal is disposed of with the observation that no contempt proceeding survives against the appellants.

(Ramesh Kumar Datta, J)

(Rajendra Kumar Mishra, J)

P.S./- Bhardwaj

AFR/NAFR	
CAV DATE	
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