

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3894 of 2013

In

Civil Writ Jurisdiction Case No. 15435 of 2012

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Sitaram Prasad, son of Late Dhaneshwar Prasad, resident f Mhalla Sahapur,
P.O. & P.S. & District Aurangabad (Bihar)

.... Petitioner

Versus

1. The State of Bihar through its Chief Secretary, namely, Mr. Ashok Kumar Singh, Old Secretariat, Patna
2. Mr. Manish Kumar, Registrar, Co-operative Department, New Secretariat, Patna
3. Mr. Indever Pathak, District Co-operative Officer, Aurangabad
4. Mr. M.K.Sinha, District Provident Fund Officer, Aurangabad
5. Mr. Sharwan Kumar, Managing Director, Central Co-operative Bank, Aurangabad
6. Mr. A.K.Singh, Regional Commissioner, Provident Fund Organisation, R-Block, Patna
7. Mr. Abhay Kumar, District Magistrate, Aurangabad

.... Opp. Parties

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Sinha, Advocate
For the EPFO : Mr. R.K.Verma, Sr.Advocate with
Mr. Pankaj Kumar, Advocate
For O.P.5 : Mr. Surendra Pd. Singh, Advocate
For the State : Mr. Nikesh Kumar, AC to S.C. 20

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 15-07-2016 Heard learned counsel for the petitioner and learned
counsels for the E.P.F.O., opposite party No.5 and for the State.

The direction of this Court by order dated 12.12.2012 passed in CWJC No. 15435 of 2012 was to the respondent-opposite parties to ensure that pension of the petitioner was to be revised and arrears and other benefits were to be given to the petitioner within a period of four months.

In the show cause filed on behalf of opposite party No.6, Regional Provident Fund Organisation, it is stated that the pension of the petitioner has been fixed as per the statutory Scheme under the GPF Act and in fact the salary revision of the petitioner makes

no difference with the fixation of pension, which is fixed on the basis of pensionable salary. The matter was reconsidered after the order of this Court under contempt and on a consideration it is found that no revision of pension of the petitioner is applicable in terms of the statutory Scheme.

This Court finds that no case for proceeding under the contempt jurisdiction is made out.

The contempt application is, accordingly, dismissed.

(Ramesh Kumar Datta, J)

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