

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11649 of 2016

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1. Uttar Bihar Gramin Bank, a body corporate sponsored by Central Bank of India, Constituted the Regional Rural Banks Act, 1976 having its registered office at Kalambagh Chowk, Muzaffarpur Bihar- 842001 through its Chief Manager Sri Jeetendra Narayan Singh

.... Petitioner/s

Versus

1. The Union of India through Ministry of Labour & Employment, Government of India, New Delhi through its Secretary.
2. The Employee Provident Fund Organisation, Ministry of Labour & Employment, Sub Regional Office, Muzaffarpur, Surya Complex, Laxmi Chowk, Muzaffarpur through its Regional Provident Fund Commissioner
3. Mr. Awadhesh Kuar & Mr.Lokesh, Enforcement Officers, Employee Provident Fund Organisation, Sub Regional Office, Muzaffarpur.
4. HCL Infrastructure Ltd., 806, Siddharth, 96, Nehru Place, New Delhi- 110019.
5. Sparrow Softech Pvt. Ltd., GS-50, Vinayaka Apartment, Kadrua, Ranchi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.K. Sinha, Sr. Adv.
Mr. Ajay Kumar Sinha, Adv.
For the E.P.F.O. : Mr. Prashant Sinha, Adv.
For the Union of India : Mr. Arvind Kumar Tewary, C.G.C.
For the Intervenor : Mr. Kumar Kaushik, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 11-05-2017

Heard Mr. D. K. Sinha, learned Senior Advocate for the petitioner, Mr. Prashant Sinha, learned Advocate for the Employees Provident Fund Organization and Mr. Arvind Kumar Tewary, learned Advocate for the Union of India.

As during pendency of the writ application the Authority under Section 7-A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act') has already



assessed the dues with regard to the Bank Mitras and passed final order on 14th October, 2016 and the order of the Authority is appealable under Section 7-I of the Act, I am not inclined to entertain the present writ application on the ground of statutory remedy of appeal provided under the Act.

Accordingly, the writ application is disposed of with liberty to the petitioner to file statutory appeal before the Appellate Tribunal. Since the matter remained pending before this Court and this Court vide its order dated 19.11.2016 had stayed the operation of the order passed under Section 7-A of the Act by the Regional Provident Fund Commissioner, the limitation for filing the appeal before the Appellate Tribunal shall stand condoned if the appeal is filed within three weeks from today.

The interlocutory applications also stand disposed of.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12-05-2017
Transmission Date	

