

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1363 OF 2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. S.C. Naidu a/w Mr. T.R. Yadav a/w Mr. P. P. Pathak i/b. C.R. Naidu & Co. for the Petitioner.
Mr. Suresh Kumar a/w Sangeeta Yadav for the Respondent.

**CORAM : K. K. TATED, J.
DATED : 27/02/2017**

PC.:

1. Heard learned Counsel for the parties.

2. By this petition under Articles 226 & 227 of the Constitution of India the Petitioner challenges the letter-cum-order dated 22.07.2014 passed by Asst. Provident Fund Commissioner, R.O. Kandivali rejecting their application for pension benefits.

3. The learned counsel for the petitioner submits that bare reading of letter-cum-order dated 22.07.2014 show that just because system is not accepting the petitioner's claim in view of amended Rules, the Authority rejected their application.

4. The learned counsel for the Respondent No.1 makes a statement that they will decide the petitioner's application on its own merits by giving

reasoned order.

5 Hence, by consent following order is passed:

a) Letter-cum-order dated 22.07.2014 passed by the Assistant Provident Fund Commissioner, GR 41, R.O. Kandivali, is set aside.

b) The Authority is directed to decide the petitioner's Claim on its own merits after giving detailed reasons. (Claim ID: KDMAL140200033771/ Member ID: KDMAL00199620000000006)

c) Liberty granted to the petitioner, if he so desire to file his written submissions before the Authority within two weeks from today.

d) The Authority to decide the petitioner's claim on its own merits within four weeks from the receipt of copy of written statement.

e) The respondent Authority to give personal hearing to the petitioner and decide his application as early as possible, but in any case, within six weeks from the receipt of written submissions by giving reasoned order.

f) Writ Petition stands disposed of accordingly.

(K.K.TATED, J.)