

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**LPA No. 526 of 2017 (O&M)
Decided on : 03.04.2017**

Jasminder Singh

. . . Appellant

Versus

Employee's Provident Fund Organization and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Rajesh Narang, Advocate
for the appellant.

AJAY KUMAR MITTAL, J. (Oral)

The appellant has approached this Court by way of Letters Patent Appeal filed under Clause X of the Letters Patent, impugning the order of the learned Single Judge, dated 9th March, 2017, whereby, the learned Single Judge restrained the Registry from accepting any application in the writ petition. However, the application shall be entertained by the office only if the balance amount of ₹3,79,885/- by way of Demand Draft/Bankers Cheque before the Registrar (General) of this Court drawn in the name of the Regional Provident Fund Commissioner, Chandigarh and only on furnishing proof of deposit of the aforesaid amount.

2. A perusal of the impugned order shows that on April 21, 2016, the appellant was allowed two weeks time to deposit a sum of ₹ 2 lacs, however, the said order was not adhered to and after expiry of seven months, the same was complied with. Learned Single Judge has also noted in the order that at one stage, the petitioner (appellant herein) had attempted to prolong the litigation by replacing the counsel as well. It has also come in the impugned order that the appellant had not voluntarily deposited the amount, whereas, the same was recovered by the respondent in two

installments i.e. on November 30, 2016 and December 02, 2016.

3. The impugned order is a conditional order, whereby, the appellant is required to deposit a sum of ₹ 3,79,885/- before filing any application in the writ petition.

4. After arguing for sometime, when the Bench was not agreeing with the appellant to set aside the order dated 9th March, 2017, which has been assailed in the present appeal, a prayer was made by the learned counsel for the appellant that he may be allowed to withdraw the present appeal.

5. Dismissed as withdrawn.

6. A copy of this order be sent to the respondents.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

April 03, 2017

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No