

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION Nos.28361 and 28375 OF 2019

COMMON ORDER:

When the matters are taken up for hearing, learned counsel on either side fairly concede that the issue involved in these writ petitions is squarely covered by the order dated 26.09.2019 passed by this Court in W.P.Nos.21342 of 2019 and batch.

Following the order dated 26.09.2019 in W.P.Nos.21342 of 2019 and batch, these Writ Petitions are allowed. The EPF authorities are directed to continue to pay the higher pension as already determined/paid to the petitioners. If any recovery is already effected, that amount shall immediately be credited to the account of the petitioners. However, it is open to the EPF authorities to take further steps as warranted by law. In the show cause notices, the EPF authorities shall give all the details required to the petitioners so as to enable them to submit their explanations. It is needless to observe that all the petitioners must be put on notice and must be given an opportunity to submit their written explanations and on due consideration of the same, appropriate decision shall be made by assigning due reasons in support of the decision and communicated to the petitioners. Until such decision is made and communicated to the petitioners, the EPF authorities shall continue to pay the revised higher pension to the petitioners. No order as to costs.

Office is directed to enclose a copy of the order dated 26.09.2019 in W.P.Nos.21342 of 2019 and batch to this order.

Miscellaneous petitions, if any, pending shall stand closed.

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ABHINAND KUMAR SHAVIL, J

23.12.2019

Prv

