

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

W.P.No.28407 of 2019

ORDER:

When the matter is taken up for hearing, counsel for the petitioner as well as Standing Counsel appearing for the respondents submitted that the issue raised in this writ petition is squarely covered by the order passed by this Court in W.P.Nos.15337 of 2019 and batch, dated 24.09.2019, and contended that the present writ petition be allowed in terms of the above said order.

In view of the above submissions and for the reasons alike in the order dated 24.09.2019 in W.P.Nos.15337 of 2019 and batch, this writ petition is allowed at the stage of admission and the EPF authorities are directed to continue to pay to the petitioner the higher pension as already determined. If any recovery is already effected, that amount shall immediately be credited to the account of the petitioner. However, it is open to the EPF authorities to take further steps as warranted by law. In the show cause notice, the EPF authorities shall give all the details to the petitioner so as to enable him to submit his explanation. It is needless to observe that the petitioner must be put on notice and must be given an opportunity to submit his written explanation and on due consideration of the same, appropriate decision shall be made by assigning due reasons in support of the decision and communicate to the petitioner. Until such decision is made and communicated to the petitioner, the EPF authorities shall continue to pay the revised higher pension to the petitioner. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILU, J

Date: 23.12.2019
Prv

