

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 12271 of 2011

Uttar Bihar Gramin Bank through the Chief Manager, Head Office :
Kalambagh Chowk, Muzaffarpur

... .. Petitioner/s

Versus

1. Employees Provident Fund Organization through the Regional Provident Fund Commissioner, Sub Regional Office, 01st Floor, Surya Complex, Laxmi Chowk, Muzaffarpur
2. Regional Provident Fund Commissioner-II, Office of the Employees Provident Fund Organization, Ist Floor, Surya Complex, Laxmi Chowk, Muzaffarpur
3. T S Shukla, Uttar Bihar Gramin Bank Employees Federation C/o Mitra Bhawan, Bahalkhana Road, Muzaffarpur- 842002
4. Ajay Kumar Shukhla Son of Bhola Nath Shukhla Resident of Village- Etwapur, P.O. Jalalpur, District- Vaishali- 844114
5. Arun Kumar Thakur Son of Shayam Sunder Thakur Resident of Village and P.O. Mahant Maniyari, District- Muzaffarpur- 842001
6. Laxmi Narayan Prasad Son of late Binda Prasad Resident of Mirchaipati, P.O. Sitamarhi, District- Sitamarhi- 843302
7. Laxman Prasad Son of late Yamuna Prasad Resident of Bairganiya, P.O. Bairganiya, District- Sitamarhi- 843313
8. Awadesh Kumar Srivastava Son of Sarvjeet Prasad Srivastava Resident of Village- Jainagar, P.O. Jainagar, District- Jainagar- 847226
9. Anil Kumar Barnwal Son of late Jyotish Prasad Barnwal Resident of Village and P.O. Mahnar, P.S. Mahnar, District- Vaishali -844506
10. Uma Shankar Sharma Son of late Lotan Sharma Resident of Village and P.O. Gandhichak, P.S. Lalganj, District- Vaishali- 844121
11. Prem Kumar Son of Kameshwar Prasad Sah Resident of Village - Simra, P.O. Mansoorpur, P.S. Vaishali, District- Vaishali 843101

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Ajay Kumar Sinha, Advocate
For the Respondent/s : M/s Chakrapani, Madhuresh Singh, Advocates

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

7 **13-02-2020** After some arguments advanced on behalf of both sides, learned counsel representing the Bank submits that final



order under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for brevity, *the Act*) dated 26.07.2019 has already been passed. The same is Annexure 8 to IA No 2 of 2019. It is his submission that the order under Section 7A of the Act issued by the Assistant Provident Fund Commissioner would be assailed by him in appeal under the Act. It is his submission that on account of pendency of instant proceedings, some delay has occasioned in approaching the statutory forum.

In view of the said submission, this Court would only observe that the petitioner would raise the issue of pendency of instant proceedings in this Court for meeting the issue of delay in the appeal proposed to be filed under Section 7I of the Act, if the remedy is availed within four weeks from today.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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