

03.03.2021.  
Item no. 76.  
Court No.13  
ap

**W.P.A. No. 2612 of 2021  
(Through Video Conference)**

**Sri Ajay Kumar Mitra  
Versus  
Punjab National Bank & Ors.**

Mr. Debasish Sur,  
Mr. Mrinmoy Chatterjee.

...For the petitioner.

Ms. Moushumi Pal,  
Mr. Kaushik Modak,  
Mr. Samrat Mukherjee.

...For the respondent Bank.

The writ petitioner filed W.P. No. 23010 (W) of 2019 making selfsame prayers on the selfsame cause of action as in the instant writ petition challenging the action of the United Bank of India now known as Punjab National Bank in withdrawing and/or adjusting the petitioner's contribution to Provident Fund from his terminal benefits. He was admittedly dismissed from service in the year 2001.

By an order dated 19<sup>th</sup> December, 2019, the said writ application was dismissed for delay and laches.

The instant writ application has been filed explaining delay in filing the writ petition being W.P. No.23010 (W) of 2019.

*Ex facie* the instant writ application is barred by *res judicata* in view of the order dated 19<sup>th</sup> December, 2019.

In view of the observations made hereinabove,  
the instant writ application shall stand dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of  
this order on usual undertakings.

**(*Rajasekhar Mantha, J.*)**