

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2915 of 2018

In
Civil Writ Jurisdiction Case No.17372 of 2017

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Shambhu Sharan Singh Son of late Mahima Sharan Singh resident of 9/5, Kasturba Path, North S.K. Puri, P.S. S.K.Puri, District - Patna, presently practicing as an Advocate in Patna High Court.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Sri Deepak Kumar, the Chief Secretary, Govt. of Bihar, Patna.
3. Sri Vivek Kumar Singh, Principal Secretary to the Chancellor, Universities of Bihar
4. Sri R.K. Mahajan, Principal Secretary, Education Department, Govt. of Bihar, Patna.
5. Smt. Sujata Chaturvedi, the Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
6. Sri Deepak Kumar Singh, the Principal Secretary, Labour Resources Department, Govt. of Bihar, Patna
7. Sri Sanjay Kumar, the Principal Secretary, Department of Health, Govt. of Bihar, Patna
8. Sri Chaitanya Prasad, the Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
9. Sri Lokesh Kumar Singh, the Executive Director, State Health Society, Bihar, Patna
10. Sri Ashwani Lohani, the Chairman, Railway Board, Rail Bhawan, New Delhi
11. Sri Lalit Chandra Trivedi, the General Manager, East Central Railway, Hazipur.
12. Sri Rajnish Kumar, the Chairman, State Bank of India, Corporate Office, Mumbai.
13. Sri Sandeep Tiwari, the Chief General Manager, State Bank of India, Local Head Office, Patna.
14. Sri Sunil Kumar Barthwal, the Central Provident Fund Commissioner, Employees Provident Fund Organiz New Delhi.
15. Ms. Shahira A Sangma, the Additional Central Provident Fund Commissioner, Employees Provident Fund Organization, Bihar and Jharkhand, Patna
16. Sri R.W Syiem, the Regional Provident Fund Commissioner, Employees Provident Fund Organization, Bihar, Patna

... .. Opposite Party/s

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Appearance :



For the Petitioner/s :	Mr.Shambhu Sharan Singh In Person
For the Opposite Party/s :	Mr.Rajan Ghosrane, Advocate
For the State Health Society:	Mr.K.K.Sinha, Advocate
	Mr.Shashi Shekhar, Advocate
For the O.P. No. 14 to 16 :	Mr.Rajiv Kumar Verma, Sr.Advocate
	Mr.Prashant Sinha, Advocate
For the Union of India :	Mr.Ram Tujabh Singh, AC to ASG
	Mr.Rakesh Kumar, Advocate
For the State :	Mr.Raghwanad, GA11
	Mr.Prabhat Kumar, AC to GA11
For the O.P.No. 10,11&17:	Dr.K.N.Singh, ASG
	Mr.Rakesh Kr. Sinha, Advocate
	Ms.Radhika Raman, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 05-07-2023 The present MJC is filed for non-compliance of the
order dated 11.01.2018 passed in CWJC No. 17372 of 2017.

Extract of the order dated 11.01.2018 reads as under:-

“Having heard learned counsel for the petitioner, we are of the considered view that the Employees Provident Fund & Miscellaneous Provisions Act, 1952 is a statutory and complete Code in itself authorizing authorities, vesting them with statutory powers to deal with such issues and, therefore, when a statutory provision with all the procedural requirements and statutory authority is already in place, it is not appropriate to make any indulgence into the matter in public interest. Instead, the petitioner, if advised, should take up the issue with the statutory authority under the Employees Provident Fund & Miscellaneous Provisions Act, 1952 and it would be for the statutory authority to take action, as may be



permissible under law.

*With the aforesaid
observation and liberty to the
petitioner, we dispose of the matter.”*

2. Reading of the aforesaid observation made by this Court and in not considering the petitioner grievance with reference to his representation/application that does not amount to contempt of Court. Therefore, the present MJC-contempt petition is not maintainable, since there is no specific direction to any of the opposite parties to do certain things in the manner known to law.

3. In the absence of such direction or order the present MJC-contempt petition stands rejected. Reserving liberty to the petitioner to pursue his representation or application, in the event of non-consideration of his grievance, he has remedy of filing writ petition seeking writ of mandamus to the concerned authority to consider representation or application in the manner known to the law.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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