

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2231 of 2023

In
Civil Writ Jurisdiction Case No.113 of 2009

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Purnanand Jha, Son of Late Bhawanand Jha, Resident of Flat No. 602,
Udaygiri Apartment, Budha Marg, P.S.-Kotwali, District-Patna, Bihar.

... .. Petitioner/s

Versus

1. The Bihar State Cooperative Land Development Bank Ltd. Budh Marg, Patna through its Chairman.
2. The Chairman, Bihar State Cooperative Land Development Bank Ltd., Budh Marg, Patna.
3. The Managing Director, Bihar State Cooperative Land Development Bank Ltd., Budh Marg, Patna.
4. The In-charge Senior Account Officer, Bihar State Cooperative Land Development Bank Ltd., Budh Marg, Patna.
5. The Regional Provident Fund Commissioner, Patna at Patna, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prince Kumar Mishra with Mr. Vikas Kumar Jha, Advocates
For the Opposite Party/s :		Mr. Rajesh Prasad Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-10-2023 Heard Mr. Prince Kumar Mishra, learned counsel appearing on behalf of the petitioner and Mr. Rajesh Prasad Choudhary, learned counsel for the opposite parties.

2. The petitioner by filing the present application seeking modification of the order dated 01.02.2012, passed by a coordinate Bench of this Court in C.W.J.C. No. 113 of 2009, to the extent, whereby the learned Court directed to list the writ petition for consideration after disposal of C.W.J.C. No. 400 of 2012, is concerned.



3. Mr. Mishra submitted that despite the order having been passed way back on 01.02.2012, till date C.W.J.C. No. 400 of 2012 has not been disposed of and in the meantime, the identically situated persons, like the petitioner, who have approached this Court, they have been allowed the benefit of Contributory Provident Fund, but on account of the fact that the matter is pending before this Court since long, the petitioner has only been allowed the benefit of Contributory Provident Fund in part. It is further submitted that on account of such condition, owing to pendency of C.W.J.C. No. 400 of 2012 till date, his writ petition could not be taken up. However, if the order to that extent is modified, the grievance of the petitioner would certainly be redressed, as the others have been allowed the benefit of CPF.

4. Mr. Rajesh Prasad Choudhary, learned counsel for the opposite parties submits that if the order would be modified only to the extent prayed for by the petitioner, he would have no opposition.

5. In view of the submissions made on behalf of the parties, the order dated 01.02.2012 passed by a Bench of this Court in C.W.J.C. No. 113 of 2009 is modified and not given effect to the extent whereby it has been observed in the last



paragraph that “as agreed, the present writ petition shall now come up for consideration after disposal of C.W.J.C. No. 400 of 2012”. Let the matter be placed under the appropriate heading for proper adjudication, as per its seriatim.

6. Accordingly, the present modification application stands allowed.

(Harish Kumar, J)

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