
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1671 OF 2018

A.M. Rajendram

.. Petitioner

Versus

The Regional Provident Fund
Commissioner, Mumbai Region

.. Respondent

SNEHA
NITIN
CHAVAN

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Mr. Prerak Sharma, Advocates for the Petitioner.

***Ms. Shehnaz (Sheroo) Vispy Bharucha (Daruwalla),
Advocates for Respondent.***

**CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.**

DATE : NOVEMBER 4, 2023

P. C.

1. Rule. Learned counsel for the Respondent waives service. With the consent of parties, rule is made returnable forthwith. Heard finally.

2. In the above writ petition, the grievance of the Petitioner is that though the Petitioner has been paid interest on his Employee Provident Fund Account up to 30.06.2012, he has been denied

interest for the subsequent period on the ground that the account was declared as inoperative.

3. We find that the issue raised in the present petition is squarely covered by a Judgment of a learned Single Judge of the Punjab and Haryana High Court in the case of *Jagdish Kumar v/s. Employees' Provident Fund Commissioner* [CWP No. 10071 of 2014 (O & M)] dated 14.09.2015. In fact this decision was subjected to an appeal before the Division Bench of Punjab and Haryana High Court by filing LPA No. 1544 of 2015 (O & M). This appeal is also dismissed by the Division Bench of Punjab and Haryana High Court on 14.07.2017, confirming the view taken by the learned Single Judge.

4. In light of the above decisions of Punjab and Haryana High Court and which we hereby affirm and follow, the above petition is allowed. The Respondent is directed to make Petitioner's "inoperative account" operative and pay the accrued interest thereon to the Petitioner, as his vested right, at the rate of 12% per annum for the period from 01.07.2012 to 16.06.2016.

5. This amount of interest shall be paid to the Petitioner within two months from the date of receipt of this order, after observing due formalities required under law. To ensure timely payment of the aforesaid interest, the Petitioner shall immediately supply to the Respondent his relevant bank details as well as his Aadhar Card and PAN Card respectively.

6. Rule is made absolute in the aforesaid terms and the Writ Petition is also disposed of in the terms thereof. However, there shall be no order as to costs.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]