

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14559 of 2010

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CENTRAL BOARD OF TRUSTEES, EPF THROUGH THE ASSISTANT
PROVIDENT FUND Employees Provident Fund Organisation, New
Vakalatkhana Building, Court Compound, Muzaffarpur

... .. Petitioner/s

Versus

1. M/S GANDAK AREA DEVELOPMENT Agency through its Area
Development Commissioner and Chairman, Combined Building, Court
Compound, Muzaffarpur
2. The Director Water and Land Management, (WALMI), Water Resources
Department, Khagaul, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate
For the Respondent/s : Mr. Satish Chanddra Jha 2, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 15-04-2025

1. Heard the Learned counsel for the
petitioner as well as the Learned counsel for the
respondents.

2. This writ petition has been filed by the
petitioner for setting aside the order dated
24.11.2009, passed in ATA No. 679 (3)/2006
passed by the Presiding Officer, Employees
Provident Fund Appellate Tribunal, New Delhi
whereby the Tribunal was pleased to quash the
order dated 20.09.2006 passed by the Assistant



Provident Fund Commissioner, Muzaffarpur under Section 7A of the Employees Provident Fund & Miscellaneous Provisions Act, 1952 (for short “EPF & MP Act, 1952”) by which the establishment herein was directed to pay the entire outstanding dues i.e. Rs. 2,13,05,678/- (Rs. Two crores, thirteen lakhs five thousand six hundred and seventy eight only).

3. At the outset, the Learned counsel for the respondents submitted that a Writ petition, being **CWJC No. 16336 of 2010 (Central Board of Trustees, EPF vs. M/s Gandak Area Development Agency)**, was earlier filed by the Writ petitioner herein, seeking similar relief, and the facts of the case were also similar to those in the present writ petition. The said Writ petition was allowed by a judgment dated 26.10.2018 passed by a Co-ordinate Bench of this Court. Thereafter, the respondent preferred **LPA No. 204 of 2019 (M/s Gandak Area Development Agency vs. Central Board of Trustees, EPF)** against the aforesaid judgment, wherein a Division Bench of



this Court, set aside the order passed by the learned Single Judge and restored the order passed by the Tribunal. Consequently, the appeal filed by the respondent was allowed. Subsequently, the petitioner herein approached the Hon'ble Supreme Court by filing **Special Leave Petition (Civil) Diary No. 23367/2023 (Central Board of Trustees, EPF Versus M/s Gandak Area Development Agency)** against the judgment and order dated 15.11.2022 passed in LPA No. 204 of 2019. However, the said Special Leave Petition was dismissed for non-prosecution by the Hon'ble Supreme Court vide order dated 21.11.2023.

4. In view of the aforesaid facts and circumstances, the Learned counsel for the respondents contended that since the similar issue involved in the present writ petition was already been decided by a Division Bench of this Court, the matter is squarely covered by the judgment dated 15.11.2022 passed in **LPA No. 204 of 2019 (M/s Gandak Area Development Agency vs. Central Board of Trustees, EPF)**, this writ



petition may also be disposed of on the same terms and conditions.

5. Having regard to the submissions made by learned counsel for the respondents, the present writ petition stands dismissed in terms of the judgment dated 15.11.2022 passed in **LPA No. 204 of 2019 (supra)**.

6. Interlocutory Application, if any, shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.05.2025
Transmission Date	

