

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7188 of 2025

Shambhu Sharan Singh, (male), aged about 58 years, Late Mahima Sharan Singh, resident of - 9/5 Katurba Path, North Shri Krishna Puri, P.O.- Shri Krishna Puri, P.S.- Shri Krishna Puri, Patna- 800013.

... .. Petitioner/s

Versus

1. Union of India
2. Union of India through the Cabinet Secretary, Government of India, New Delhi.
3. Secretary, Ministry of Finance, Government of India, New Delhi.
4. The Chairman, Railway Board, New Delhi.
5. The Chief General Manager, East Central Railway, Hazipur, Bihar.
6. The Chief General Manager, Eastern Railway, Kolkata, West Bengal.
7. Divisional Railway Manager, Eastern Railway, Malda, West Bengal,
8. The Chief General Manager, North Eastern Frontier Railway, Maligaon, Guwahati.
9. Divisional Railway Manager, North Eastern Frontier Railway, Katihar.
10. The State of Bihar, through Chief Secretary, Government of Bihar.
11. Additional Chief Secretary Health Department, Government of Bihar
12. Additional Chief Secretary Social Welfare Department, Government of Bihar
13. Additional Chief Secretary Environment and Forest, Government of Bihar.
14. Additional Chief Secretary Labour Resource Department, Government of Bihar.
15. The Principal Secretary, Rural Development Department, Government of Bihar.
16. Executive Director, Bihar State Health Society, Patna
17. The Commissioner, Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Bihar.
18. The Additional Chief Secretary, Agricultural Department, Government of Bihar.
19. Director, Integrated Child Development Program, Bihar, Patna.
20. Central Provident Fund Commissioner, 14 Bhikaji Kama Place, New Delhi.
21. The Additional Central Provident Fund Commissioner, Bihar and Jharkhand.
22. The Regional Provident Fund Commissioner, Patna, Bhavishya Nidhi Bhawan, R. Block, Road No. 6, Patna, Bihar.
23. The Regional Director, ESI Corporation, Patna, Bihar.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh (In Person)
For the Respondent/s : Additional Solicitor General
Mr. Rishi Raj Raman, Advocate
For the EPFO : Mr. Prashant Sinha, Advocate

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 22-09-2025

In the instant writ petition, petitioner has prayed for the following reliefs :

“(i) For necessary direction upon the respondent authorities to extend the benefits of EPF & MP Act to the contractual/outsourced/daily wages employees engaged by the respondent authorities in their various departments without any social security benefits as provided under the provisions of the EPF & MP Act.

(ii) For holding that the respondent authorities cannot be allowed to utilize the services of such workers during their working years and to leave them without any social security benefits after their disengagement, which amounts to exploitation of Human resources.

(iii) For any other direction which your lordship may deem fit and proper.”



2. Perusal of the reliefs, it is crystal clear that it is individual relief to be sought by the concerned daily wager or outsourced employee whose services have been engaged in the form of contract. In that regard under Employees' Provident Funds And Miscellaneous Provisions Act, 1952 (for short 'the Act, 1952'), there is specific provision. If there is denial of extending of any benefit under the Act, 1952, the concerned individual – employee is required to invoke remedy before *quasi judicial* authority and further, in the event of passing any adverse order by the *quasi judicial* authority, in that event, litigant is entitled to file appeal before the appellate authority. There are certain time limit stipulated. In this backdrop, the present public interest litigation filed by a stranger is not maintainable.

3. The Hon'ble Supreme Court in the case of ***Dr. Duryodhan Sahu and Others vs. Jitendra Kumar Mishra and Others*** reported in (1998) 7 SCC 273 read with ***Girjesh Shrivastava and Others vs. State of Madhya Pradesh and Others*** reported in (2010) 10 SCC 707 held that insofar as service matters of employee/officials are concerned, public interest litigation is not maintainable. Accordingly, present writ petition stands dismissed with cost of Rs. 5,000/- (Rupees Five Thousand), reserving liberty



to such of those aggrieved employees to approach or invoke remedy under the Act, 1952.

4. Cost shall be remitted in the the Lawyers’ Association Welfare Benevolent Fund, Indian Bank, Branch- LNMI, Bailey Road, Patna, IFSC No. IDIB000L501 having Bank Account No. 7801893276 within a period of eight weeks.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	24.09.2025
Transmission Date	

