

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.996 of 2019

In
Civil Writ Jurisdiction Case No.12393 of 2019

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1. Central Board of Trustees through its Chairman, Ministry of Labour and Employment, Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi- 110001.
 2. The Central Provident Fund Commissioner 14, Bhikhaji Cama Place, Bhavishya Nidhi Bhawan, New Delhi- 110066.
 3. The Regional P.F. Commissioner- I (Recovery) 14, Bhikhaji Cama Place, Bhavishya Nidhi Bhawan, New Delhi- 110066.
 4. The Additional Central P.F. Commissioner (BR), E.P.F.O. Zonal officer Bhavishya Nidhi Bhawan, 3rd Floor R Block, Road No. 6, Patna- 800001.
 5. The Regional Provident Fund Commissioner- I Regional Office Bhavishya Nidhi Bhawan, R-Block, Road No.6, Patna- 800001.
 6. Assistant provident Fund Commissioner (compliance) Regional Office, E.P.F.O. Patna Bhavishya Nidhi Bhawan, R- Block, Road no. 6, Patna 800001.

... .. Appellant/s

Versus

1. The Bihar State Co-operative Marketing Union Ltd. In Short Biscomaun (Bihar and Jharkhand), having its Office at Biscomaun Bhawan, West - Gandhi Maidan, P.s. Gandhi Maidan, Patna- 800001, Town and District- Patna, through its Managing Director.
2. The Union of India Through its Secretary, Ministry of Labour and Employment, Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi- 110001.
3. The State of Bihar Through the Chief Secretary government of Bihar, Patna.
4. The Cooperative Department Through its Principal Secretary, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jai Prakash Verma, Adv.
For the Respondent/s : Mr. Vikas Kumar, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-09-2025



Appellants have assailed the order of learned Single Judge dated 08.07.2019. Matter was heard at length on the earlier occasion on 31.07.2025 and we have passed the following order:

“Learned counsel for the respondents, on instruction, submitted that order of the learned Single Judge dated 08.07.2019 has been complied insofar as payment on behalf of BISCOMAUN. In this regard, the Regional Provident Fund Commissioner is hereby directed to file his personal affidavit insofar as receipt of the payments in the light of learned Single Judge order dated 08.07.2019. Whether such acceptance of payment of installments is it under process like accepting payment of installments on behalf of BISCOMAUN is subject to outcome of the present appeal or not ?

2. Relist this matter on 21.08.2025.”

2. In the light of the aforementioned order fourth supplementary affidavit on behalf of the appellants have been filed. Para-8 & 9 reads as under:

“8. That it is stated here that present status of payment of installments is that all 72 of payments (each installment of Rs.2539432.00 have already been received by the EPFO from the BISCOMAUN.

9. That it is stated here that since the present appellant filed LPA against the impugned order dated 08.07.2019 passed in CWJC No.12393 of 2019 by the Hon’ble Single Judge, it is obvious that accepting payment of installments on behalf of the BISCOMAUN is subject to outcome of the present appeal.”



3. Reading of the aforementioned statement, it is crystal clear that as and when payment of installments commenced there was no condition in so far as acceptance of payment in installment to the extent that installment of payment has been accepted subject to outcome of pending LPA No.27564 of 2019. In other words appellants have already implemented the orders of the learned Single Judge. Implementation of the order of learned Single Judge is not subject to outcome of LPA No.27564 of 2019 from the inception and the appellants cannot improve as on 17.09.2025. Accordingly, LPA stands disposed of. Pending IAs, if any stands disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

Prakash Narayan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.09.2025
Transmission Date	NA

