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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 1710/2024 & CM APPL. 63880/2024**

SUBHASH CHANDER PANWAR SINCE DECEASED

THROUGH HIS WIFE MS. RAJESH RANIPetitioner

Through: Appearance not given.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Vijay Joshi, CGSC with Mr. Kuldeep Singh, Advocate for R-1.

Mr. Siddharth, SC for EPFO with Mr. Prateek Goyal and Mr. Harshit Manwani, Advocates for R-2 and 3.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
25.09.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 215 of the Constitution of India read with Sections 11 and 12 of the Contempt of Court Act 1971, seeks following prayers:-

- i. direct the Respondents/contemnors to sanction and release the actual pension on higher wages as per Employees Pension Scheme, 1995 in favour of the Present Petitioner herein and in consonance with the other employees who has been granted higher pensions immediately;
- ii. direct the Respondents to clear the pending arrears of pension along with interest in favour of the Present Petitioner herein immediately;
- iii. initiate contempt proceedings against the respondents / contemnors herein for having willfully disobeyed and deliberately disregarded the directions passed by this Hon 'hle Court vide Judgment dated 02.03.2023 in Subhash Chander Panwar V Union of India & Ors.;
- iv. punish the respondents/ contemnors under civil contempt under section 12 of Contempt of Court Act, 1971;



v, Pass any such order(s) that Hon'ble Court deems fit and proper in the interest of justice,”

3. Compliance affidavit on behalf of the respondents no. 2 and 3, authored by Mr. Monu Singh, Assistant Provident Fund Commissioner, under Employees' Provident Fund & Miscellaneous Provisions Act 1952 dated 24.09.2025, has been handed up in the Court today, same be taken on record.

The said compliance affidavit reads as under:-

“1. I am posted in Legal Cell of the Regional Office, Gurugram. Hence, I am competent to affirm this affidavit.

2. This compliance affidavit is submitted to place on record the revised pension payment order in favour of Mr. Subhash Chand Panwar's widow Ms. Rajesh Rani. Her pension is determined in terms of paragraph 16(2) of the Employees' Pension Scheme, 1995 ("the Pension Scheme). The revised pension payment order is annexed as Annexure R-1 to this affidavit.

3. It is clarified that Mr. Panwar had opted for pension on his actual wages under the proviso to para 11(3) of the Pension Scheme before 01.09.2014. He continued contributing to Pension Scheme on higher wages post 01.09.2014 in compliance of para 11(4) of the Pension Scheme. Hence, the pension has been increased in terms of para 44(iii) of Employees Provident Fund Organisation v. Sunil Kumar B[2022] 11 SCR 959.

4. Therefore, it is submitted that the contempt may be discharged based on this compliance affidavit.”

4. In view of the above, learned counsel appearing on behalf of the petitioner does not wish to press the present petition.

5. Accordingly, the present petition is disposed of as not pressed.

6. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

SEPTEMBER 25, 2025/sn/sg