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

+ W.P.(C) 15295/2024

RATTAN LAL YADAV AND ANR

.....Petitioners

Through: Mr. Vinod Kataria, Mr. B.P. Vaishnav
and Mr. Ajay Kataria, Advs.

versus

EPFO AND ORS

.....Respondents

Through: Mr. Siddharth, Standing Counsel for
EPFO with Mr. Prateek Goyal and Mr.
Harshit Manwani, Advs. for R-1 and
R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

16.10.2025

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1. This hearing has been done through hybrid mode.

CM APPL. 65297/2025 (exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

CM APPL. 65296/2025 (setting aside of order)

3. The present petition under Section 151 of the CPC seeks the following prayers:

“(a) To set aside the order issued by respondent no.2 vide F.No. RO/DL(E)/PoHW/Mother Dairy/4360/Part 2/2025 dated 22.09.2025 as it violates the fundamental right of the petitioners provided under the "golden triangle" of the Constitution of India i.e. Article 14, 19 and 21 of the Constitution of India and infructuous the writ in violation to important pillar of Principles of Natural Justice i.e. *Audi alteram partem*;

(b) Pass any such order as this Hon'ble Court would deem fit in the facts and circumstances of the case in the interest of Nation, Principle of Natural Justice and fair play.”

4. Learned counsel for the petitioner/applicant seeks leave of this Court



to withdraw the present application, with liberty to initiate appropriate proceedings in accordance with law, with respect to the aforesaid.

5. Leave and liberty granted.

6. The present application is dismissed as withdrawn, and disposed of.

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7. The petition under Article 226 of the Constitution of India, seeks the following prayer:-

“(A) To issue a writ order or direction in the nature of mandamus to respondents to permit petitioners to deposit/transfer the due contribution with interest into pension fund for pension on higher wages under the para 11(3) of EPF Scheme 1952 in reference to Hon'ble Supreme Court judgment dated 04.11.2022 passed in Civil Appeal No. 8143-8144 of 2022 in SLP (C) No- 8658-8659 of 2019 in the matter of Employee's Provident Fund Organisation & Anr etc Versus Sunil Kumar B & Ors etc.;

(B) To issue any other Writ Order/Direction as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case;

(C) Award the cost of the petition to the petitioner throughout.”

8. Learned counsel for the petitioner submits that, in view of order dated 22.09.2025 passed in F.No. RO/DL(E)/PoHW/Mother Dairy/4360/Part 2/2025 by the Assistant P.F. Commissioner, Employees' Provident Fund Organisation, the present petition has been rendered infructuous, and therefore, seeks leave of this Court to withdraw the present petition, with liberty to challenge the aforesaid order in appropriate proceedings in accordance with law.

9. Leave and liberty granted.



10. The present petition is dismissed as withdrawn, and disposed of.

AMIT SHARMA, J

OCTOBER 16, 2025/mj/db