HC-KAR
CNR: KAHC010454932026

NC: 2026:KHC:63698
WP No. 20770 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 20770 OF 2026 (L-PF)

BETWEEN:

1. RAVI. R
S/O SHRI RAJEGOWDA
AGED ABOUT 51 YEARS
R/AT D. NO. 106 NEAR GOVERNMENT HOSPITAL
YELWALA, MYSORE – 571130.

2. DEVARAJU. P.D
S/O SHRI DASEGOWDA
AGED ABOUT 52 YEARS
R/ AT D.NO. 125/1 NEW EXTENSION
KOORGALLI VILLAGE
BELAVADI POST, MYSORE.

3. KISHORE SINGH. J
S/O SHRI JAGANNATH SINGH. J
AGED ABOUT 53 YEARS
R/AT D.NO. 4663, 3RD CROSS
RAJPUT BLOCK, SHIVAJI ROAD
N.R. MOHALLA, MYSORE – 570007.

4. GIRISH. S
S/O SHRI K.L. SHIVASHANKAR
AGED ABOUT 53 YEARS
R/AT D.NO. 318, WATER TANK ROAD
BELAVADI POST, BELAVADI
MYSORE – 570018.

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5. UMESH. R
S/O LATE RAJU
AGED ABOUT 50 YEARS
R/AT D.NO. 134,
OPP. METAGALLI POLICE STATION ROAD
LOKANAYAKA NAGARA, METAGALLI (P)
MYSORE – 570016.

6. G. RAGHAVENDRA
S/O SHRI K. GOPALA
AGED ABOUT 47 YEARS
R/ AT D.NO. 405/1, MARIGUDI STREET
KOORGALLI, MYSORE-570018.

7. KIRAN. J
S/O LATE JAYARAM. R
AGED ABOUT 50 YEARS
R/AT D.NO. 571, 4TH MAIN ROAD
3RD CROSS, E AND F BLOCK
RAMAKRISHNA NAGARA
MYSORE – 570023.

8. SHESHADRI
S/O LATE VASUDEVAIAH
AGED ABOUT 61 YEARS
R/AT D.NO. 102, D TYPE, N.H.B
K.H.B. COLONY, HOOTAGALLI
MYSORE – 570018.

9. GANGADHARA. H
S/O SHRI HONNURAIAH
AGED ABOUT 51 YEARS
R/ AT NEAR KUNTAMMA TEMPLE
HOOTAGALLI, MYSORE – 570018.

10. RENUKA
S/O LATE SIDDAPPA
AGED ABOUT 58 YEARS
R/ AT D.NO. 129, LIG GROUP-4

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K.H.B. COLONY, HOOTAGALLI
MYSORE – 570018.

11. NAGARAJU. M
S/O SHRI MARI SHETTY
AGED ABOUT 55 YEARS
R/AT D.NO. 662, NEAR HOYSALA CIRCLE
LAKSHMIKANTHA NAGAR
HEBBAL 1ST STAGE, MYSORE – 570017.

12. T.M. GAVISIDDAIAH
S/O LATE MARISIDDAIAH
AGED ABOUT 56 YEARS
R/ AT D.NO. 781/2, SRS MAIN ROAD
HOOTAGALLI, BELAVADI POST
MYSORE – 570018.

13. S.C. MANJUNATHA
S/O LATE S.N. CHELUYAPPA
AGED ABOUT 57 YEARS
R/ AT D.NO. LIG 219, 3RD STAGE
OPP. R.M.P. QUARTERS, KUVEMPUNAGAR
MYSORE – 570023.

14. BOREGOWDA
S/O LATE DEVEGOWDA
AGED ABOUT 53 YEARS
R/ AT D.NO. 80/1, SIDDAPPAJI TEMPLE ROAD
KOORGALLI, MYSORE.

15. BASARAJU. M
S/O LATE MAYAPPA
AGED ABOUT 49 YEARS
R/AT D. SALUNDI, DANAGALLI POST
JAYAPURA HOBALI, MYSORE-570008.

…PETITIONERS

(BY SMT. MAITREYI KRISHNAN., ADVOCATE)

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AND:

1. EMPLOYEES PROVIDENT FUND ORGANIZATION
A STATUTORY BODY UNDER THE
MINISTRY OF LABOUR AND EMPLOYMENT
UNION OF INDIA HAVING ITS OFFICE AT
NO. 109-128, GAYATHRI PURAM
2ND STAGE, MYSURU - 570019.
REP. BY REGIONAL PROVIDENT COMMISSIONER
MYSURU.

2. M/S WEST COAST OPTILINKS
PLOT NO. 386-387, KIADB ELECTRONIC CITY
HEBBAL, INDUSTRIAL AREA MYSURU - 570 016
A COMPANY REGISTERED UNDER THE COMPANIES ACT
REP. BY ITS MANAGING DIRECTOR.

…RESPONDENTS

(BY SMT. B V VIDYULATHA.,ADVOCATE FOR R1:
SRI. SOMASHEKAR, ADVOCATE FOR R2:)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT, ORDER OR DIRECTION QUASHING THE FOLLOWING ORDERS ISSUED BY THE 1ST RESPONDENT: ORDER NO. KN/PF/RO/MYS/POHW/2024-25/8192 DATED 25.03.2025 PLACED AS ANNEXURE-C ISSUED TO THE 1ST PETITIONER AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

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HAREKOPPA THIMMANNA GOWDA

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ORAL ORDER

This writ petition is filed under Article 226 of the Constitution of India, challenging the orders dated 25.03.2025 passed by the first respondent vide Annexure-C series, whereby the request of the petitioners for grant of higher pension under the Employees' Pension Scheme, 1995, has been rejected on the ground that the second respondent–employer has failed to furnish the requisite documents.

2. The brief facts of the case are that the second respondent is a Company registered under the provisions of the Companies Act. The petitioners are employees of the second respondent–Company and are covered under the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short, 'the EPF Act') and the Employees' Provident Funds Scheme, 1952. The second respondent–Establishment has been contributing 12% of the basic wages and dearness

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allowance of its employees towards the Provident Fund in accordance with the provisions of the EPF Act.

3. The petitioners submitted joint declarations seeking higher pension, as per Annexure-A series. However, the first respondent, by the impugned orders dated 25.03.2025 vide Annexure-C series, rejected their applications on the ground that the second respondent–employer had failed to furnish the requisite documents to verify the remittance of administrative charges on higher wages, as contemplated under the Head Office Circular dated 14.06.2023, despite sufficient opportunities having been afforded.

4. Learned counsel appearing for the second respondent–Establishment submits that the second respondent is ready and willing to furnish all the requisite documents to the first respondent through the online portal, provided the portal is functional. It is further submitted that the requisite documents would be furnished

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through e-mail to enable the first respondent to reconsider the applications submitted by the petitioners.

5. Heard the learned counsel appearing for the parties and perused the material on record.

6. It is not in dispute that the applications submitted by the petitioners seeking higher pension have been rejected solely on the ground that the second respondent–employer had failed to furnish the requisite documents for verification of the remittance of administrative charges on higher wages. The rejection is thus founded on the non-submission of documents by the employer and not on any determination of the eligibility of the petitioners for higher pension on merits.

7. Learned counsel appearing for the second respondent–Establishment has now undertaken to furnish all the requisite documents to the first respondent through e-mail. In view of the said submission, this Court is of the considered opinion that the applications submitted by the

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petitioners deserve to be reconsidered by the first respondent upon receipt of the requisite documents from the second respondent–Establishment.

8. Since the applications of the petitioners have been rejected only on account of the failure of the second respondent–employer to furnish the requisite documents, the petitioners' claims for higher pension ought not to be foreclosed without consideration on merits, particularly when the employer has expressed its willingness to furnish the necessary documents. Under these circumstances, the impugned orders are liable to be quashed and the matter requires reconsideration by the first respondent in accordance with law.

9. Accordingly, the following:

ORDER

(i) The writ petition is allowed**.**

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(ii) The impugned orders dated 25.03.2025 passed by the first respondent vide Annexure-C series are hereby quashed.

(iii) The second respondent–Establishment is directed to furnish all the requisite documents pertaining to the petitioners to the first respondent through e-mail, within a period of 60 days from the date of receipt of a copy of this order.

(iv) Upon receipt of such documents, the first respondent shall reconsider the applications submitted by the petitioners vide Annexure-A series, in accordance with law, as expeditiously as possible, and in any event, within a period of six weeks from the date of submission of the requisite documents by the second respondent–Establishment.

(v) It is made clear that this Court has not expressed any opinion on the merits of the claims of the petitioners for higher pension, and the same shall

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be considered independently by the first respondent in accordance with law.

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(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 64