

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA-317-2022 (O&M)
Date of decision: 20.01.2025

Jasbir Singh

.... Appellant

Vs.

Regional Provident Fund Commissioner, Punjab & U.T. Chandigarh
and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Kunal Mulwani, Advocate, for the appellant.

Mr. Aseem Rai, Advocate, for respondents No.1 and 2.

Mr. Prateek Gupta, Advocate, for respondent No.3.

ARUN PALLI, J (Oral)

Learned counsel for the appellant submits, for the petition preferred by the appellant was dismissed in limine by the learned Single Judge, vide impugned order and judgment, the respondents never had any occasion to submit response. However, he submits that reply, on behalf of respondents No.1 and 2, has since been filed in the present case. And, the averments set out in paragraph 7, read as thus:-

***“7. That in response to this paragraph it is submitted that CBI, Chandigarh (respondent no.3 herein) vide its letter dated 18.03.2016 had forwarded a brief note bringing out mischief on the part of officers of the Regional Provident Fund Office, Chandigarh, with a request to initiate appropriate proceedings against Shri Siddharatha, APFC, Sh. Ashok Kumar, PA and other officers working in RPF, for trying to mislead government agencies. The matter was placed before the Central Provident Fund Commissioner, New Delhi who directed that said Shri Siddharat ha, APFC and Sh. Ashok Kumar, PA may be charge sheeted under major penalty proceedings. As the misconduct on the part of both said officials was of administrative nature, the same was transferred to EPFO, AVS, HRM for further necessary action.*”**

thereafter AVS, HRM examined the matter in consultation with ACC (PB & HP) who recommended closing of the case against said Shri Siddhartha, APFC on the ground that he was neither the person with whom the alleged misbehavior took place nor was he in the hierarchy of officers who processed the approved complaint letter sent to the police. Due to absence of both regular APFC's as well as 1st link APFC he had signed the approved draft in his capacity of 2nd link officer; therefore there was no attempt on his part to mislead any government agency. The matter was referred to the Chief Vigilance Officer, EPFO, New Delhi (respondent no.2 herein) by the Central Provident Fund Commissioner, New Delhi for remarks. Said respondent no.2 agreed with the view taken by AVS, HRM for closure of the case against said Sh. Siddhartha, APFC. Subsequently, CPFC, being the competent authority, approved for dropping the case against said APFC. However, major penalty proceedings were initiated against Shri Ashok Kumar, PA, whereupon he was ultimately exonerated from the charges vide order dated 03.08.2017.”

Accordingly, he, as always, fairly submits that in the wake of the above, nothing substantive survives in the appeal, and the same be disposed of as having been rendered infructuous.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

20.01.2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No