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R C Sathi Devi vs Sunil Barthwal

R C Sathi Devi vs Sunil Barthwal

SooperKanoon Citation : sooperkanoon.com/1389174

Court : Kerala

Decided On : Aug-24-2023

Judge : Honourable Mr. Justice a.Muhamed Mustaque,Honourable Mrs. Justice Sophy Thomas

Appeal No. : Con.Case(C)/1890/2019

Appellant : R C Sathi Devi

Respondent : Sunil Barthwal

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE & THE HONOURABLE MRS. JUSTICE SOPHY THOMAS THURSDAY, THE 24TH DAY OF AUGUST 2023 / 2ND BHADRA, 1945 CON.CASE(C) NO. 2005 OF 2019 AGAINST THE JUDGMENT DATED 12.10.2018 IN WP(C) 19136/2016 ------- 1 VALSALAN P., AGED 61 YEARS, S/O.RAVUNNI NAIR, RETIRED DEPUTY GENERAL MANAGER (P AND E) DEPARTMENT, KERALA STATE THIRUVANANTHAPURAM, RESIDING AT PUSHPAGIRI, DESSAN NAGAR, HOUSE NO.627, PEROORKADA, EPF A/C.NO.KR/2575/2012, (PETITIONER NO.1 IN WP-C 2 RADHAKRISHNA PILLAI.R., AGED 55

YEARS, S/O.RAMAKRISHNA PILLAI, SENIOR MANAGER (P AND E) DEPARTMENT, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, SREE, KRWA, 242 F, KUTHIRAKKADU LANE, VATTIYOORKAVU, THIRUVANANTHAPURAM-13, EPF A/C.NO.KR/2575/418, (PETITIONER NO.2 IN WP-C NO.19136/2016). 3 RAJAN C.G., AGED 59 YEARS, S/O.GOPALAKRISHNAN NAIR, RTD.SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, GREESHMAM, VNRA A14, VATTIYOORKAVU P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/248. (PETITIONER NO.3 IN WP-C 4 SREEKUMAR K., AGED 59 YEARS, S/O.KUNJUKRISHNAKURUP, RTD. SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, UTHRADAM, MADANKOLI LANE, A3N, VELLAYAMBALAM, SASTHAMANGALAM P.O., EPF A/C.NO.KR/2575/241. (PETITIONER NO.4 IN WP-C NO.19136/2016). Cont.Case (C) Nos.1890 & 2005 of 2019 2 5 SYAMALAKUMARI B., AGED 59 YEARS, W/O.MOHANDAS K.C., RTD. SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, TC9/2507(2), MOHANAM, E26, JUDGE LANE, SASTHAMANGALAM, THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/289. (PETITIONER NO.5 IN WP-C NO.19136/2016). 6 MOHANDAS R., AGED 60 YEARS, S/O.RAMANKUTTY, RTD.SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, KUZHINGALA HOUSE, NANDAVANAM, NEDUMPARAMBU P.O., ALANCODE VIA, EPF A/C.NO.KR/2575/414. (PETITIONER NO.6 IN WP-C NO.19136/2016). 7 MAYA V., AGED 53 YEARS, W/O.SUBHASH BHASI, SENIOR MANAGER, KERALA STATE THIRUVANANTHAPURAM, SOUPARNIKA, H.NO.44, ASWATHI

GUARDNS, AMBALATHARA, POONTHURA P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/419. (PETITIONER NO.7 IN WP-C NO.19136/2016). 8 SURESH R.V., AGED 53 YEARS, S/O.R.V.NAIR, SENIOR MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK THIRUVANANTHAPURAM, SURESH NIVAS, TC 15/671, US ROAD, PALOTTU KONAM, SASTHAMANGALAM, THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/415. (PETITIONER NO.8 IN WP-C NO.19136/2016). 9 NIZA T.R., AGED 49 YEARS, W/O.MOIDEENKUTTY, MANAGER, KERALA STATE THIRUVANANTHAPURAM, TC 11/1151 (1), WATTS LANE, H.NO.68, (6), NANTHANCODE, KOWDIAR P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/426. (PETITIONER NO.9 IN WP-C NO.19136/2016). 10 PAVITHRAN V.C., AGED 51 YEARS, S/O.SIVASANKARAN ADIODI, MANAGER, KERALA STATE Cont.Case (C) Nos.1890 & 2005 of 2019 3 THIRUVANANTHAPURAM, SIVADAM, TC 6/337(21), VATTIYOORKAVU P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/467. (PETITIONER NO.10 IN WP-C 11 THANKAMANI S., AGED 52 YEARS, W/O.RADHAKRISHNAN NAIR, MANAGER, KERALA STATE THIRUVANANTHAPURAM, HARIVARASANAM, IRA.B, 29/1, TC 33, 1128, IRUKUNNAM LANE, MANIKANTESWARAM P.O., VATTIYOORKAVU P.O., EPF A/C.NO.KR/2575/466.(PETITIONER NO.11 IN WP-C 12 TALENTKUMAR S.T., AGED 48 YEARS, S/O.THANKAPPAN NAIR, MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK THIRUVANANTHAPURAM, BHADRASREE, PAYATTUVILLA P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/459. (PETITIONER NO.12 IN WP-C 13 SAJIKUMAR P.G., AGED 44 YEARS, S/O.PARAMESWARAN NAIR, MANAGER, KERALA STATE THIRUVANANTHAPURAM, MANYGEETHAM, TC 40/1065(2), SREEVARAHAM, MANCAUD P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/489. (PETITIONER NO.14 IN WP- C NO.19136/2016). 14 SANTHOSHKUMAR S., AGED 56 YEARS, S/O.SADASIVAN,

MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK THIRUVANANTHAPURAM, KOCHUTHARAYIL HOUSE, PATTAMTHURUTH P.O., PERINAD, KOLLAM, EPF A/C.NO.KR/2575/457. (PETITIONER NO.15 IN WP-C 15 AMBIKA DEVI S., AGED 52 YEARS, W/O.RAMACHANDRAN NAIR, ACCOUNTS OFFICER, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, KIZHAKKINKARA VEEDU, EDAVANAKONAM, VATTALLOOR P.O., KILIMANOOR, Cont.Case (C) Nos.1890 & 2005 of 2019 4 THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/642. (PETITIONER NO.16 IN WP-C NO.19136/2016). 16 ALEYKUTTY P.I., AGED 60 YEARS, D/O.ISAC, RTD., FARE COPY SUPERINTENDENT, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, TC 76/457, NARIKKANAL HOUSE, ANAYARA P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/274. (PETITIONER NO.17 IN WP-C 17 WILSON LAL.M., AGED 55 YEARS, S/O.MRITHUMJAYAN, CLERK GRADE II, KERALA STATE THIRUVANANTHAPURAM, PULIYANAMURIYIL POORNIMA, PRAYAR NORTH P.O., OACHIRA, EPF A/C.NO.KR/2575/252. (PETITIONER NO.18 IN WP-C 18 MAYADEVI S., AGED 56 YEARS, W/O.MADHUKUMAR, TYPIST GRADE I, KERALA STATE THIRUVANANTHAPURAM, KRISHNA, TC 36688- DESRA 56, PERIUNTHANNI, VALLAKKADAVU P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/304. (PETITIONER NO.19 IN WP-C NO.19136/2016). 19 LETHA P., AGED 55 YEARS, W/O.SREEKANTAN NAIR, TYPIST GRADE I, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, SAI KRIPA, A79, SREECHITHRA NAGAR, PANGODE, THIRUMALA P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/303. (PETITIONER NO.20 IN WP-C NO.19136/2016). 20 VALSALAN C., AGED 54 YEARS, S/O.K.CHELLAN, RECORD KEEPER, KERALA STATE

THIRUVANANTHAPURAM, ALUNKUZHI VEEDU, PARATHIKUZHI P.O., NEDUMANGAD, THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/321. (PETITIONER NO.21 IN WP-C NO.19136/2016). Cont.Case (C) Nos.1890 & 2005 of 2019 5 21 ROY THOMAS, AGED 54 YEARS, S/O.THOMAS, CIVIL OVERSEER, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK THIRUVANANTHAPURAM, PARACKAL, TC 66/2052 (1), KOLIYOOR, MUTTAKKADU P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/372. (PETITIONER NO.22 IN WP- C NO.19136/2016). 22 BINU LAL T., AGED 58 YEARS S/O.THANKAPPAN, RTD., ELECTRICIAN, KERALA STATE THIRUVANANTHAPURAM, KARTHIKA, TC 11/1212-1, KEERTHI LANE, VCRA 7, NANTHANCODE, KOWDIYAR P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/375. (PETITIONER NO.23 IN WP-C 23 MOHANAN P.N., AGED 58 YEARS, S/O.NARAYANAN, RTD., ELECTRICIAN, KERALA STATE THIRUVANANTHAPURAM, PALLATHUMARIYIL, TC NO.10/178(2), AVUKULAM, CHEMPAZHANTHI P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/374. (PETITIONER NO.24 IN WP-C NO.19136/2016). 24 THOMAS ANTONY, AGED 53 YEARS, S/O.ANTONY, ELECTRICIAN, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK THIRUVANANTHAPURAM, MANJALI, VL 61A, VIKAS LANE, KUNNUKUZHI, VANCHIYOOR, THIRUVANANTHAPURAM 35, EPF A/C.NO.KR/2575/378. (PETITIONER NO.25 IN WP- C NO.19136/2016) 25 MOHANAKUMAR B., AGED 57 YEARS, S/O.BHASKARAN NAIR, CLERK GRADE III, KERALA STATE CO-OPERATIVE BANK LIMITED, HEAD OFFICE CO-BANK TOWERS, PALAYAM, VIKASBHAVAN P.O., THIRUVANANTHAPURAM, GOURI BHAVAN, TC 51/3121, SBGRA 30, INDUSTRIAL ESTATE P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/365. (PETITIONER NO.26 IN WP-C NO.19136/2016). 26 VINOD C.N., AGED 54 YEARS, S/O.NARAYANAN, CLERK GRADE II, KERALA STATE Cont.Case (C) Nos.1890 & 2005 of 2019 6 THIRUVANANTHAPURAM, CHENGALIKUZHIYIL HOUSE,

MAVORTHALAMOM, SREEKARYAM P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/401. (PETITIONER NO.27 IN WP-C NO.19136/2016). 27 PRAKASAN M.K., AGED 60 YEARS, S/O.KUMARAN, RTD., DEPUTY GENERAL MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, REGIONAL OFFICE, OVER BRIDGE JUNCTION, THIRUVANANTHAPURAM, UTHRADAM, TC 41/2517, ARA100, THOTTAM, MANACADU P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/236. (PETITIONER NO.28 IN WP-C NO.19136/2016). 28 SANTHOSHKUMAR C.R., AGED 55 YEARS, S/O.RGHAVAN, MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, THIRUVANANTHAPURAM, CHOKKATTUPARAMBIL, THATTAPARAMBU COLONY ROAD, POOVARANNY P.O., KOTTAYAM, EPF A/C.NO.KR/2575/454. (PETITIONER NO.29 IN WP-C 29 XAVIER DAVID M., AGED 50 YEARS S/O.N.MELKKIS, CLERK GRADE II, KERALA STATE CO- OPERATIVE BANK LIMITED, MEDICAL COLLEGE BRANCH, THIRUVANANTHAPURAM, HANNA VILLA, PMRA 325, ANUGRAHA NAGAR, SM LOCK, POONTHURA P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/382. (PETITIONER NO.30 N WP-C NO.19136/2016). 30 SHAFI M., AGED 54 YEARS, S/O.MYTHEENKUNJU, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, PEROORKADA BRANCH, THIRUVANANTHAPURAM, BAITH-NL-RAHATH, CHATHAMPARA, THOTTAKADU P.O., (VIA), KALLAMPALAM, EPF A/C.NO.KR/2575/440. (PETITIONER NO.31 IN WP-C NO.19136/2016). 31 PILLAI GEETHA G.JANARDHAN, AGED 59 YEARS, W/O.MOHANACHANDRAN PILLAI, RTD., MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, PEROORKADA BRANCH, THIRUVANANTHAPURAM, KAUTHUKAM, PUTHUKUNNAM, POWDIKONAM P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/345. (PETITIONER NO.32 IN WP-C NO.19136/2016). Cont.Case (C) Nos.1890 & 2005 of 2019 7 32 ANILKUMAR M.G., AGED 56 YEARS, S/O.KOCHUGOVINDAPILLAI, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK

LIMITED, PEROORKADA BRACNH, THIRUVANANTHAPURAM, GOVINDAMANGALAM, (MANAGALASSERIL), INCHAKKAD, KAKKAKUNNU P.O., SOORANADU SOUTH, EPF A/C.NO.KR/2575/420. (PETITIONER NO.33 IN WP-C NO.19136/2016). 33 SREELATHA S., AGED 55 YEARS, D/O.MADHAVAN, MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KARAMANA BRANCH, THIRUVANANTHAPURAM, SALIMA, SOORYA NAGAR, KUREEPUZHA, KAVANADU P.O., KOLLAM, EPF A/C.NO.KR/2575/380. (PETITIONER NO.34 IN WP-C 34 CHANDRAKUMAR K., AGED 53 YEARS, S/O.KRISHNA PILLAI, CASH ASSISTANT, KERALA STATE CO-OPERATIVE BANK LIMITED, KARAMANA BRANCH, THIRUVANANTHAPURAM, THEKKEVARULAKATH VEEDU, INDUSTRIAL ESTATE P.O., THIRUVANANTHAPURAM 19, EPF A/C.NO.KR/2575/590. (PETITIONER NO.35 IN WP- C NO.19136/2016). 35 JAYASREE M., AGED 50 YEARS, W/O.RADHAKRISHNAN NAIR, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KARAMANA BRANCH, THIRUVANANTHAPURAM, KRISHNASREE, TC A/C.NO.KR/2575/428. (PETITIONER NO.36 IN WP-C 36 BINDU S., AGED 50 YEARS S/O.SATHIKUMAR, MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, POOJAPPURA BRANCH, THIRUVANANTHAPURAM, KRISHNENDU, TC 18/1114(1), THIRUMALA P.O., THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/460. (PETITIONER NO.37 IN WP-C 37 KUMARI RADHA I., AGED 51 YEARS W/O.SIVAKUMAR, MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, KAITHAMUKKU BRANCH, THIRUVANANTHAPURAM, TC 40/895, MAMUTHAVAKODA, SREEVARAHAM, THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/462. (PETITIONER NO.38 IN WP-C Cont.Case (C) Nos.1890 & 2005 of 2019 8 38 RADHAKUMARI AMMA S.K., AGED 59 YEARS D/O.KESAVAN NAIR, RTD. DEPUTY GENERAL MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, STATUTE BRANCH, THIRUVANANTHAPURAM, KAIRALI, AMRITHA NAGAR, KAIMANAM, PAPPANAMCODE P.O., THIRUVANATHAPURAM, EPF

A/C.NO.KR/2575/234. (PETITIONER NO.39 IN WP-C NO.19136/2016). 39 SASIKUMAR V., AGED 53 YEARS S/O.VASUDEVAN PILLAI, MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, STATUE BRANCH, THIRUVANANTHAPURAM, VLRA-10, VALIYAVEEDU LANE, MANNARAKONAM, VATTIYOORKAVU, THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/461.(PETITIONER NO.40 IN WP-C 40 SIVAN NAIR.S., AGED 60 YEARS S/O.SREEDHARAN NAIR, RTD., CASH ASSISTANT/GOLD APPRAISER, KERALA STATE CO-OPERATIVE BANK LIMITED, OVER BRIDGE BRANCH, THIRUVANANTHAPURAM, USHUS, TC 9/950 (1), PLRA 22, PANICKERS LANE, SASTHAMANGALAM, THIRUVANANTHAPURAM, EPF A/C.NO.KR/2575/194. (PETITIONER NO.41 IN WP-C 41 SREELETHA P., AGED 52 YEARS W/O.SATHEESHKUMAR, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, MONVILA, KULATHUR P.O., THIRUVANANTHAPURAM, SREYAS, VERIYANALLOOR, P.O., CHELAKKARA (VIA), THRISSUR, EPF A/C.NO.KR/2575/445. (PETITIONER NO.42 IN WP-C 42 SAJEEV J., AGED 53 YEARS S/O.JANARDHANAN PILLAI, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KOLLAM BRANCH, ANANDAVALLEESWARAM, CIVIL STATION P.O., KOLLAM, SREENIVAS, KRA 59, KANKATHU MUKKU, THIRUMULLAVARAM P.O., KOLLAM DISTRICT, EPF A/C.NO.KR/2575/416. (PETITIONER NO.43 IN WP-C Cont.Case (C) Nos.1890 & 2005 of 2019 9 43 VIMALADEVI AMMA.S., AGED 56 YEARS D/O.CHELLAPPAN PILLAI, MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, KOLLAM BRANCH, ANANDAVALLEESWARAM, CIVIL STATION P.O., KOLLAM, SUDARSANAM, KIDANGAYAM NADUVIL, PATHARAM P.O., KOLLAM, EPF A/C.NO.KR/2575/464. (PETITIONER NO.44 IN WP-C NO.19136/2016). 44 ANITHA ABRAHAM , AGED 51 YEARS W/O.SUNIL JACOB, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KOLLAM BRANCH, ANANDAVALLEESWEARAM, CIVIL STATION PO, KOLLAM, JYOTHIS,

ARA 73, THIRUMULLAVARAM P.O., KOLLAM, EPF A/C.NO.KR/2575/411. (PETITIONER NO.45 IN WP- C NO.19136/2016). 45 ROY K.B ., AGED 56 YEARS S/O.BALAN, SENIOR MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, PATHANAMTHITTA BRANCH, COLLEGE ROAD, PATHANAMTHITTA, PYARILAND, MALAYALAPUZHA THAZHAM P.O., PATHANAMTHITTA, EPF A/C.NO.KR/2575/443. (PETITIONER NO.46 IN WP-C 46 SREEDEVI AMMA K., AGED 50 YEARS W/O.HARIKUMAR, MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, PATHANAMTHITTA BRANCH, COLLEGE ROAD, PATHANAMTHITTA, HARISREE, PAZHAKULAM EAST, ADOOR, PATHANAMTHITTA, EPF A/C.NO.KR/2575/421 (PETITIONER NO.48 IN WP-C 47 DEEPU K.S ., AGED 53 YEARS D/O.V.B.SATHEESAN, BILL COLLECTOR, KERALA STATE CO-OPERATIVE BANK LIMITED, PATHANAMTHITTA BRANCH, COLLEGE ROAD, PATHANAMTHITTA, KATTINKAL HOUSE, KOMMADI WARD, THUMPOLI P.O., ALAPUZHA, EPF A/C.NO.KR/2575/431. (PETITIONER NO.49 IN WP- C NO.19136/2016). Cont.Case (C) Nos.1890 & 2005 of 2019 10 48 JOSEPH T.P., AGED 50 YEARS S/O.PATHROSE, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, ALAPPUZHA BRANCH, ALAPPUZHA, MUTTATHUKARA, PUTHENCHANDA P.O., VAGATHANAM, KOTTAYAM, EPF A/C.NO.KR/2575/417. (PETITIONER NO.50 IN WP-C NO.19136/2016). 49 THOMAS JOHN , AGED 51 YEARS S/O.A.T.JOHN, SENIOR MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, IDUKKI BRANCH, IDUKKI COLONY PO, CHERUTHONI IDUKKI, ALUNKAL HOUSE, EZHACHERRI P.O., KOTTAYAM, EPF A/C.NO.KR/2575/436. (PETITIONER NO.51 IN WP-C 50 SHAJAN V.S., AGED 53 YEARS S/O.SEBASTIAN, SENIOR MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, IDUKKI BRANCH, IDUKKI COLONY P.O, CHERUTHONI IDUKKI, VALIYAPARAMBIL HOUSE, THADIYAMPAD P.O., VAZHATHOPE, IDUKKI DISTRICT, EPF A/C.NO.KR/2575/444. (PETITIONER NO.52 IN WP-C NO.19136/2016). 51 VIDYA M., AGED 44 YEARS

W/O.RANAJOSE THALIYATH, MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, ERNAKULAM BRANCH, CHITTOOR ROAD, PULLEPPADY JUNCTION, UJJAYINI, THALIYATH HOUSE, B PAUL ABRAO ROAD, SIMITHERI JUNCTION, ERNAKULAM, EPF A/C.NO.KR/2575/490. (PETITIONER NO.53 IN WP-C NO.19136/2016). 52 BHARATHAN P.P., AGED 58 YEARS S/O.PADMANABHAN NAIR, CLERK GRAD II, KERALA STATE CO-OPERATIVE BANK LIMITED, ERNAKULAM BRANCH, CHITTOOR ROAD, PULLEPPADY JUNCTION, ERNAKULAM , KAMALAYALAM, THEKKUMBHAGHOM, NEAR THAMKAVU TEMPLE, VAIKOM ROAD (VIA), THRIPUNITHURA, EPF A/C.NO.KR/2575/295. (PETITIONER NO.54 IN WP-C NO.19136/2016). 53 VISWANATHAN P., AGED 59 YEARS S/O.SIVASANKARAN NAIR, RTD., REGIONAL MANAGER, Cont.Case (C) Nos.1890 & 2005 of 2019 11 KERALA STATE CO-OPERATIVE BANK LIMITED, REGIONAL OFFICE, MARKET ROAD, KOCHI-18, 32/196, ARUNODHAYAM, H. NO.52, STREET NO.4, DARSANA NAGAR, VENNAKKARA, NURANI P.O., PALAKKAD, EPF A/C.NO.KR/2575/317. (PETITIONER NO.55 IN WP-C 54 VISWANATHA MALLAN S., AGED 61 YEARS, S/O.SREEDHARA MALLAN, RTD., SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, REGIONAL OFFICE, MARKET ROAD, KOCHI-18, 57/B, KUNDELATTU HOUSE, SL PURAM P.O., CHERTHALA, ALAPUZHA, EPF A/C.NO.KR/2575/284. (PETITIONER NO.56 IN WP-C 55 ANILKUMAR J., AGED 54 YEARS, S/O.JAGADEESAN NAIR, CLERK GRADE II, KERALA STATE CO-OPERATIVE BANK LIMITED, REGIONAL OFFICE, MARKET ROAD, KOCHI-18, SANKARA VILAS, THIRUNAKKARA, KOTTAYAM-1, EPF A/C.NO.KR/2575/410. (PETITIONER NO. 57 IN WP-C 56 MARY P.L., AGED 60 YEARS, W/O.JAYACHANDRAN, RTD, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, THRISSUR BRANCH, EAST FORT PO, THRISSUR, HOUSE NO.27, MINI NAGAR, MUKKATTUKARA, NETTISSERRY P.O., THRISSUR, EPF A/C.NO.KR/2575/293. (PETITIONER NO.58 IN WP-C NO.19136/2016). 57 PRABHAKARAN V.K., AGED 52 YEARS, S/O.KRISHNANKUTTY,

MANGER, KERALA STATE CO- OPERATIVE BANK LIMITED, THRISSUR BRANCH, EAST FORT P.O, THRISSUR, VELLUTHANGATH HOUSE, NEAVMBAL, THOTTIPPAL P.O., THRISSUR, EPF A/C.NO.KR/2575/423. (PETITIONER NO.59 IN WP-C 58 AMBIKA C.V., AGED 60 YEARS, W/O.SASIDHARAN, RTD., SENIOR ACCOUNTANT, KERALA STATE CO-OPERATIVE BANK LIMITED, THRISSUR BRANCH, EAST FORT PO, THRISSUR, AMBADI, POTTORE P.O., THRISSUR, EPF A/C.NO.KR/2575/249. (PETITIONER NO.60 IN WP-C NO.19136/2016). 59 REMA A.M., AGED 56 YEARS, W/O.SREEKUMAR, MANAGER, KERALA STATE COCont.Case (C) Nos.1890 & 2005 of 2019 12 OPERATIVE BANK LIMITED, THRISSUR BRANCH, EAST FORT PO, THRISSUR, MANJULA APARTMENTS, DOOR NO.6, KUNNATHU LANE, THIRUVAMBADI, THRISSUR, EPF A/C.NO.KR/2575/471. (PETITIONER NO.61 IN WP-C NO.19136/2016) 60 RADHAKRISHNAN V.V., AGED 54 YEARS S/O.VASUDEVAN, BILL COLLECTOR, KERALA STATE CO- OPERATIVE BANK LIMITED, THRISSUR BRANCH, EAST FORT PO, THRISSUR, VADAKKOOTTU HOUSE, P.O.PALLISSERY, PALAKKAL, THRISSUR, EPF A/C.NO.KR/2575/396. (PETITIONER NO.62 IN WP-C 61 UBANDRAN M.K., AGED 51 YEARS, S/O.SUKUMARAN, SENIOR MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, MALAPPURAM BRANCH, MALAPPURAM, MANAKATTU KUNNMMEL (H), MUTHEERI, NILABUR RS P.O., MALAPPURAM DISTRICT, EPF A/C.NO.KR/2575/450. (PETITIONER NO.64 IN WP-C 62 SURENDRA NATH V.K., AGED 49 YEARS, S/O.KARUNAKARAN NAIR, CLERK GRADE II, KERALA STATE CO-OPERATIVE BANK LIMITED, MALAPPURAM BRANCH, MALAPPURAM, MADASSERI, PATHIRIYIL POST, MALAPPURAM, EPF A/C.NO.KR/2575/355. (PETITIONER NO.64 IN WP-C NO.19136/2016). 63 NARAYANAN K.T., AGED 50 YEARS, S/O.ITTINARAYANAN NAMPOOTHIRI, SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, PALAKKAD BRANCH, NURANI P.O, PALAKKAD-4, KALLELLI, THAMARAPILLY MANA, ANANTHA NAGAR, AYYANTHOLE P.O., THRISSUR, EPF

A/C.NO.KR/2575/432. (PETITIONER NO.65 IN WP-C NO.19136/2016). 64 SUNNY THOMAS, AGED 54 YEARS, S/O.THOMAS A.J., MANAGER, KERALA STATE CO- OPERATIVE BANK LIMITED, PALAKKAD BRANCH, NURANI PO, PALAKKAD-4, EMPRAYEL HOUSE, MYTHRI NAGAR, CHAKKANTHARA, NOORANI P.O., PALAKKAD, EPF A/C.NO.KR/2575/447. (PETITIONER NO.66 IN WP-C 65 KUMARAN P.M., AGED 58 YEARS Cont.Case (C) Nos.1890 & 2005 of 2019 13 S/O.MARIMUTHU, BILL COLLECTOR, KERALA STATE CO-OPERATIVE BANK LIMITED, PALAKKAD BRANCH, NURANI PO, PALAKKAD-4, RAHUL RAGI NIVAS, CHIRAKKATTU, KUNNATHURMEDU, PALAKKAD, EPF A/C.NO.KR/2575/364. (PETITIONER NO.67 IN WP-C NO.19136/2016). 66 JOSE JOHN, AGED 56 YEARS, S/O.JOHN, MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, REGIONAL OFFICE, KOZHIKODE, MUNDACKATHARAPPEL HOUSE, VELLADU POST, ALAKKODU, KANNUR DISTRICT, EPF A/C.NO. KR/2575/433. (PETITIONER NO.68 IN WP-C NO.19136/2016). 67 MANOOJU P.P., AGED 50 YEARS, S/O.LATE AMBU K., SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KOZHIKODE BRANCH, KOZHIKODE-2, KAVUERY, THOTTADA, KANNUR, EPF A/C.NO.KR/2575/427. (PETITIONER NO.69 IN WP-C 68 PAVITHRAN K.P., AGED 55 YEARS, S/O.C.V.RAGHAVAN NAMBIAR, MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KOZHIKODE BRANCH, KOZHIKODE-2, SREYASS, VAZHAKKAL, THILLANKERI P.O., MATTANNUR, KANNUR, EPF A/C.NO.KR/2575/429. (PETITIONER NO.70 IN WP-C NO.19136/2016). 69 ARUN DAS K.K., AGED 53 YEARS, S/O.KUMARAN, PLUMBER, KERALA STATE CO-OPERATIVE BANK LIMITED, WAYANAD BRANCH, WAYANAD, POURNAMI, MORA BAZAR, NEAR KARINKALLIKKAL,M MLA ROAD, KOVUR, CHEVAYOOR P.O., KOZHIKODE, EPF A/C.NO.KR/2575/376. (PETITIONER NO.71 IN WP-C 70 BALAKRISHNAN A., AGED 59 YEARS, W/O.KUNJIRAMAN, RTD.SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KANNUR BRANCH,

KANNUR, MAYOOKHAM, EACHUR P.O., KANNUR, EPF A/C.NO.KR/2575/441. (PETITIONER NO.72 IN WP-C 71 SURESHAN M., AGED 49 YEARS, S/O.GOVINDAN M., SENIOR MANAGER, KERALA STATE CO-OPERATIVE BANK LIMITED, KANNUR BRANCH, KANNUR, SURABHI, KALLIYASSERY, KANNUR, EPF A/C.NO.KR/2575/442. (PETITIONER NO.73 IN WP- C Cont.Case (C) Nos.1890 & 2005 of 2019 14 72 MADHUSOODANAN T.V., AGED 54 YEARS, S/O.MAHADEVAN NAMBIAR, CASH ASSISTANT /GOLD APPRAISER, KERALA STATE CO-OPERATIVE BANK LIMITED, KANNUR BRANCH, KANNUR, KORAMBETH HOUSE, VELLANCHIRA ROAD, ANCHAMPEEDIKA P.O., KANNUR, EPF A/C.NO.KR/2575/402. (PETITIONER NO.74 IN WP- C NO.19136/2016). 73 VIJAYAN A.P.V., AGED 56 YEARS, S/O.KUNJIRAMAN, BILL COLLECTOR, KERALA STATE CO- OPERATIVE BANK LIMITED, KANNUR BRANCH, KANNUR, ANJANAM, AZHUTHANPOYIL VEEDU, PERUGOM P.O., PAYYANNUR, EPF A/C.NO.KR/2575/388. (PETITIONER NO.75 IN WP-C NO.19136/2016).

BY ADVS. K.SASIKUMAR S.ARAVIND RESPONDENTS: 1 RANJAY MOOSHA VARY, (AGE AND SON OF NOT KNOWN TO THE PETITIONERS) REGIONAL PROVIDENT FUND COMMISSIONER, EMPLOYEES PROVIDENT FUND ORGANISATION, PATTOM, THIRUVANANTHAPURAM- 695004. 2 RANI GEORGE, (AGE AND DAUGHTER OF NOT KNOWN TO THE PETITIONERS) MANAGING DIRECTOR, KERALA STATE CO-OPERATIVE BANK LIMITED, CO-BANK TOWERS, VIKASBHAVAN P.O., THIRUVANANTHAPURAM-33. BY ADVS. SMT.NITA.N.S. SRI.GILBERT GEORGE CORREYA THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 24.08.2023 ALONG WITH CONT. CASE(C) NO.1890/2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Cont.Case (C) Nos.1890 & 2005 of 2019 15

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE & THE HONOURABLE MRS. JUSTICE SOPHY THOMAS THURSDAY, THE 24TH DAY OF AUGUST 2023 / 2ND BHADRA, 1945 CON.CASE(C) NO. 1890 OF 2019 AGAINST THE JUDGMENT DATED 12.10.2018 IN WP(C) 34986/2016 ------ PETITIONERS: 1 R C SATHI DEVIAGED 60 YEARSW/O.V.N.VALSAN, MANAGER, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING) CORPORATION LIMITED, RESIDING AT GOURI NANDANAM, PAZHANJIYIL LANE, OLAYIL, THEVALLY.P.O, KOLLAM. 2 REMAIN.C.AGED 60 YEARSW/O.LATE RAMESAN.C, ACCOUNTANT, KERALA STATE BEVERAGES (MANUFACTURING AND MARKETING) CORPORATION LIMITED, RESIDING AT RESHMAS, MEKKADAER, CHAVARA.P.O, KOLLAM-691583 3 V.V.KUNJIRAMANAGED 57 YEARSS/O.MADIPPIL BHATIYAN, CONFIDENTIAL ASSISTANT, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING) CORPORATION LIMITRED, RESIDING AT SNEHA, T.C.NO.7/574(4), KESAVAPURAM, KUZHIVILA ROAD, MARUTHAMKUZHY, KANJIRAMPARA.P.O, THIRUVANANTHAPURAM-695030 4 K.SREEDEVIAGED 60 YEARSW/O.SASIKUMAR, MANAGER, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING) CORPORATION LIMITED, RESIDING AT SREEBHAVAN, THRICHATTUKULAM.P.O, CHERTHALA, ALAPPUZHA-688526 5 A.V.PRADIP,AGED 59 YEARSS/O.A.V.VISWAMBHARAN, MANAGER, KERALA STATE BEVERAGES(MANUFACTUGING AND MARKETING) COOPERATION LIMITE,D RESIDING AT ALATHUKATTIL HOUSE, GAYATHRI, H.NO.106, 9B-3- CROSS ROAD, UDAYA NAGAR, AYYANTHOLE.P.O., Cont.Case (C) Nos.1890 & 2005 of 2019 16 THRISSUR-680003 6 M.K.AJITHAGED 58 YEARSS/O.M.P.KRISHNAN, ASSISTANT GRADE-I, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING) CORPORATION LIMITED, RESIDING AT MACHINGAL HOUSE, KARUMPILAVU.P.O, THRISSUR-680564 7 M.B.VENKITESWARA VIKRAMADHITHYA DEVUAGED 58 YEARSS/O.LATE M.S.BALAKRISHNAN, ASSISTANTE GRADE-I,

KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING) CORPORATION LIMITED, RESIDING AT MADAKKAVIL HOUSE, INCHAMUDI.P.O, THRISSUR-680564 8 P.S.SABEERALI,AGED 57 YEARSS/O.P.V.SAYED MOHAMED, REGIONAL MANAGER, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING) CORPORATION LIMITED, RESIDING AT PUTHIYAVEETIL, KURUMPILAVU.P.O, THRISSIUR-680564 9 K.N.RAJATHAGED 58 YEARSS/O.K.K.NARAYANAN, REGIONAL MANAGER, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING)CORPORATION LIMITED, RESIDING AT KARAUYIL THEKKUT HOUSE, S.W.T.S.RAOD, ALUVA-683101 10 P.G.SURESH,AGED 58 YEARSS/O.P.A.GANGADHARAN, ASSISTNAT MANAGER, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING)CORPORATION LIMITED, RESIDING AT PERINGATHARA HOUSE, PERINJANAM, THRISSUR-680686 11 B.K.CHANDRAN,AGED 58 YEARSS/O.B.M.KOCHAKKAN, ASSISTANT MANAGER, KERALA STATE BEVERAGES(MANUFACTURING AND MARKETING) CORPORATION LIMITED, RESIDING AT BHARATH HOUSE, KURUMPILAVIL.P.O, THRISSUR-680564 12 P.S.SANSOOR,AGED 56 YEARSS/O.P.V.SAIDUMUHAMMED, ASSISTANT GRADE-I, KERALA STATE BEVERAGES (MANUFACTURING AND MARKETING)CORPORATION LIMITED, RESIDING AT UTHIYAVEETIL HOUSE, OLUKKARA, KALATHODE, THRISSUR

13 K.K.JAYAKUMAR,AGED 61 YEARSS/O.K.S.KOCHUNNY, KARIPARAMBIL HOUSE, KIZHAKKUMURI.P.O, Cont.Case (C) Nos.1890 & 2005 of 2019 17 PERINGOTTUKARA, THRISSUR-680571. 14 RAMACHADNRAN .KAGED 61 YEARSS/O.LATE K.CHANDU, USHAS, THIRUVAKOIL, BEKAL.P.O, KASARAGOD-671318.

15 N.KARUNAKARANAGED 62 YEARSS/O.P.K.RAMAN NAIR, NVK HOUSE, ECHIKOVVAL, PILICODE.P.O, KASARAGOD-671310. 16 K.RAVIAGED 62 YEARSS/O.AMBADI, KUNHIPUROYIL, BANGALAM.P.O, KASARAGOD-671314.

17 P.SASIDHARANAGED 62 YEARSS/O.U.BALAKRISHNA MENON, THEKKOT HOUSE, VARANDHARAPALLY.P.O, TRICHUR-680303. BY ADVS. C.S.AJITH PRAKASH SMT.T.N.SREEKALA SHRI.BABU M. RESPONDENTS:

1 SUNIL BARTHWAL(AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONERS), THE CENTRAL PROVIDENT FUND COMMISSIONER, BHAVISHANIDHI BHAVAN, BHIKAIJI CAMA, NEW DELHI-110006. 2 SMT.RENU RAMACHANDRAN,(AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONERS), REGIONAL PROVIDENT FUND COMMISSIONER, EMPLOYEES PROVIDENT FUND ORGANISATION, PATTOM, THIRUVANANTHAPURAM-695004. BY ADV.SMT.NITA.N.S. THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 24.08.2023 ALONG WITH CONT.CASE(C) 2005/2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Cont.Case (C) Nos.1890 & 2005 of 2019 18

JUDGMENT

A.Muhamed Mustaque, J.

These Contempt Cases are closed with liberty to the petitioners to exercise option in accordance with the Apex Court judgment in The Employees Provident Fund Organisation & Another etc. v. Sunil Kumar B. and Others etc. [2022 AIR (SC) 5634]. Sd/- A.MUHAMED MUSTAQUE JUDGE Sd/- SOPHY THOMAS JUDGE ln Cont.Case (C) Nos.1890 & 2005 of 2019 19 APPENDIX OF CON.CASE(C) 1890/2019 PETITIONERS' ANNEXURES: ANNEXURE A CERTIFIED COPY OF THE JUDGMENT OF THE HON'BLE HIGH COURT OF KERALA IN WP(C)NO.34986/2016 DATED 12.10.2018. ANNEXURE B TRUE COPY OF THE CASE STATUS OF THE HON'BLE SUPREME COURT IN SLP ()NO.8658- OF THE HON'BLE SUPREME COURT. Cont.Case (C) Nos.1890 & 2005 of 2019 20 APPENDIX OF CON.CASE(C) 2005/2019 PETITIONERS' ANNEXURES: ANNEXURE I A CERTIFIED COPY OF THE JUDGMENT OF HON'BLE HIGH COURT OF KERALA IN WPC NO.19136/2016, DATED 12.10.2018. ANNEXURE II A TRUE COPY OF THE RESOLUTION NO.44 DATED 03.05.2017 OF THE DIRECTOR BOARD OF THE BANK. ANNEXURE III A TRUE COPY OF THE

LETTER DATED 06.03.2019 FORWARDED BY THE 2ND RESPONDENT TO THE 1ST RESPONDENT.

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