

(SHOW CAUSE NOTICE BEFORE ADMISSION) ✓
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI ✓
TUESDAY, THE NINTH DAY OF DECEMBER ✓
TWO THOUSAND AND TWENTY FIVE ✓

:PRESENT: ✓

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY ✓
WRIT PETITION NO: 34265 OF 2025 ✓



Between:

Kamabala Eswara Rao, S/o Veera Swamym aged about 61 years, Occ.
Retired Employee, AP Differently abled and senior citizens Assistance
Corporation, (APDASCAC) D.No.1-116-12/1/5, SaiKrupa Homes,
Sector-12, MVP colony, Visakhapatnam. ✓

Petitioner ✓

AND

1. The Regional Provident Fund Commissioner, Employees Provident Fund Organisation, BhavishyaNidhi Bhavan, Brudavan Gardens, Pattibhipuram, Guntur, Guntur District ✓
2. The Assistant Provident Fund Commissioner,, Employees Provident Fund Organisation, BhavishyaNidhiBhavan, Brudavan Gardens, Pattibhipuram, Guntur, Guntur District. ✓
3. The Regional Employees Provident Fund Commissioner, Employees Provident Fund Organisation BhavishyaNidhiBhavan, Marripalem, Vuda Layout, Visakhapatnam. ✓
4. .The Managing Director, AP Differently abled and senior citizens Assistance Corporation, Raja NarendraBhavanm EnamalakuduruRoad, Auto Nagar Vijayawada. ✓

Respondents

WHEREAS the Petitioner above named through his Advocate Sri Kintali Dharma Rao presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Mandamus or

passed by the Respondent No.2 (Assistant Provident Fund Commissioner) rejecting the petitioners joint option for higher pension under Para 11 (4) of the EPS-95 Scheme, submitted by the Respondent No.4 through online mode with Acknowledgments, as illegal, arbitrary, violative of Articles 14, 21 and 300-A of the Constitution of India, contrary to the binding judgment of the Honble Supreme Court in SLP (C) Nos. 8658-8659 of 2019 (EPFO v. Sunil Kumar B.), consequently set aside the same with a direction to the Respondents to forthwith once again re-examined the Joint Option for Higher Pension be re-examined and Higher Pension be sanctioned as per the Supreme Court judgment and EPFO guidelines under Para 11(4) of EPS-95 in terms of the directions of the Hon'ble Supreme Court issued under Article 142 of the Constitution of India and sanction and release the higher pension along with arrears and interest @ 12 percentage per annum from the date on which the pension became due and Pass

AND WHEREAS the High Court upon perusing the petition and affidavit of grounds filed herein and upon hearing the arguments of Sri KINTALI DHARMA RAO Advocate for the Petitioner, Sri T.Balaji, Advocate for the Respondent No.1 to 3 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Regional Provident Fund Commissioner, Employees Provident Fund Organisation, BhavishyaNidhi Bhavan, Brudavan Gardens, Pattibhipuram, Guntur, Guntur District
2. The Assistant Provident Fund Commissioner,, Employees Provident Fund Organisation, BhavishyaNidhiBhavan, Brudavan Gardens, Pattibhipuram, Guntur, Guntur District.
3. The Regional Employees Provident Fund Commissioner, Employees Provident Fund Organisation BhavishyaNidhiBhavan, Marripalem, Vuda Layout, Visakhapatnam.
4. The Managing Director, AP Differently abled and senior citizens Assistance Corporation, Raja NarendraBhavanm EnamalakuduruRoad ,Auto Nagar Vijayawada.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this **Writ Petition** should not be admitted within four (04) weeks.

The Court made the following: ORDER

“Notice before admission, returnable in four weeks.

Post this matter along with W.P. No.25006 of 2025.”

**Sd/- M.PRABHAKAR RAO
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Regional Provident Fund Commissioner, Employees Provident Fund Organisation, BhavishyaNidhi Bhavan, Brudavan Gardens, Pattibhipuram, Guntur, Guntur District (Along with a copy of petition and memorandum of grounds)
2. The Assistant Provident Fund Commissioner,, Employees Provident Fund Organisation, BhavishyaNidhiBhavan, Brudavan Gardens, Pattibhipuram, Guntur, Guntur District(Along with a copy of petition and memorandum of grounds)
3. The Regional Employees Provident Fund Commissioner, Employees Provident Fund Organisation BhavishyaNidhiBhavan, Marripalem, Vuda Layout, Visakhapatnam (Along with a copy of petition and memorandum of grounds)
4. .The Managing Director, AP Differently abled and senior citizens Assistance Corporation, Raja NarendraBhavanm EnamalakuduruRoad ,Auto Nagar Vijayawada. (By RPAD 1 to 4 - along with a copy of petition and memorandum of grounds)
5. One CC to Sri Kintali Dharma Rao Advocate [OPUC]
6. One CC to Sri T.Balaji, Adocate [OPUC]
7. **One spare copy**

TVSR

HIGH COURT

VN,J

DATED: 09/12/2025

POST THIS MATTER ALONG WITH W.P. NO.25006 OF 2025.”

NOTICE BEFORE ADMISSION

WP.No.34265 of 2025

