

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.195 OF 2011

NAVRATAN MAL NAGORI (D) THROUGH LRS.

Appellant(s)

VERSUS

THE BOARD OF SECONDARY EDUCATION RAJASTHAN

Respondent(s)

O R D E R

The present appeal has been filed challenging the order dated 12.02.2009 whereby the second appeal filed by the appellant was dismissed and the order of the learned Single Judge was upheld holding that the appellant having opted for the Provident Fund Scheme vide letter dated 18.05.1991 could not exercise the second option as the Administrator had recalled the order of calling for a second option.

Learned counsel for the respondent states that on the death of the appellant, the entire Provident Fund dues had been released to him and for the legal heirs of the appellant to now agitate the issue of pension would be untenable in law.

She also points out that since the appellant has now passed away and has not left behind any legal heir to whom pension would be payable in terms of Regulation 4(i), the present appeal has become infructuous.

Keeping in view the averments in the counter affidavit that the appellant had been released the entire provident fund dues vide cheque dated 08.10.1999 and the appellant has not left behind any

legal heir to whom pension would be payable under terms of Regulation 4(i), the present appeal is dismissed.

However, the issue of law raised in the appeal is left open. Pending application(s), if any, shall also stand disposed of.

.....J.
MANMOHAN)

.....J.
(N.V. ANJARIA)

NEW DELHI;
July 24, 2025.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.195/2011

NAVRATAN MAL NAGORI (D) THROUGH LRS.

Appellant(s)

VERSUS

THE BOARD OF SECONDARY EDUCATION RAJASTHAN

Respondent(s)

[Hearing expedited]

Date : 24-07-2025 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MR. JUSTICE N.V. ANJARIAFor Appellant(s) : Ms. Pratibha Jain, AOR
Mrs. Christi Jain, Adv.
Mr. Mann Arora, Adv.
Ms. Akriti Sharma, Adv.
Mr. Harsh Jain, Adv.
Mr. Om Sudhir Vidyarthi, Adv.
Mr. Aditya Jain, Adv.
Mr. Yogit Kamat, Adv.For Respondent(s) : Ms. Nidhi Jaswal, AOR
Ms. Saubhagya Sundriyal, Adv.
Mr. Aishwary Jaiswal, Adv.UPON hearing the counsel the Court made the following
O R D E R

The present appeal is dismissed in terms of the signed order.

However, the issue of law raised in the appeal is left open.

Pending application(s), if any, shall also stand disposed of.

(KRITIKA TIWARI)
SENIOR PERSONAL ASSISTANT(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)

[Signed order is placed on file]