

GAHC010131112024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/3379/2024

ASITPUR TEA ESTATE AND ANR
P.O- TENGAKHAT,
DIST- DIBRUGARH, ASSAM, PIN-786103,
REP. BY ITS CEO, MR. ATISH CH. BAGCHI

2: MR. ATISH CH. BAGCHI
S/O- LATE AJIT CH. BAGCHI

R/O- ASIT BHAWAN

MANCOTTA ROAD
(NEAR OVER BRIDGE)

P.O AND P.S- DIBRUGARH

DIST- DIBRUGARH
ASSA

VERSUS

ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANISATION AND 2 ORS
FORMERLY KNOWN AS ASSAM TEA PLANTATION AND PROVIDENT FUND
AND PENSION FUND ACHHEME AND DLI SCHEME, NIDHI BHAWAN,
LALMATI, BASISTHA, NH 37, GUWAHATI-29,

REP. BY ITS SECRETARY CUM PROVIDENT FUND COMMISSIONER
HAVING ITS HEAD OFFICE AT NIDHI BHAWAN, LAL MATI, BASISTHA ,
GUWAHATI, DIST. KAMRUP(M), ASSAM-781029.

2:THE AUTHORISED OFFICER
ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANISATION

NIDHI BHAWAN
LAL MATI

BASISTHA
GUWAHATI
DIST. KAMRUP(M)
ASSAM-781029.

3:RECOVERY OFFICER
ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANISATION

DIBRUGARH ZONE
MILAN NAGARWEST

P.O- C.R BUILDING
DIST- DIBRUGARH
ASSAM
PIN-78600

Advocate for the petitioner(s): Mr. PP Dutta

Advocate for the respondent(s): Ms. G Goswami

For respondent Nos.1 and 2

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

31.07.2024

Heard Mr. PP Dutta, the learned counsel appearing on behalf of the petitioners. Ms. G Goswami, the learned counsel appears on behalf of respondent Nos.1 and 2.

2. The instant writ petition has been filed challenging the notice of demand issued vide Reference No.PF/Z0-DIB/Recovery/2024/E– 256/817-19 dated

20.06.2024 as well as the other consequential reliefs as regards the said notice.

3. Ms. G Goswami, the learned counsel submits on instruction that the said notice which was issued to the petitioners referred to hereinabove shall be withdrawn in view of the reconciliation of the accounts.

4. Ms. G Goswami, the learned counsel further submits that the respondent authorities would not insist upon the said notice in view of the communication which has been addressed to her. A copy of the said communication so placed before this Court is kept on record and marked with the letter 'X'.

5. Taking into account the said communication which has been marked with the letter 'X' as well as the submissions made by Ms. G Goswami, the learned counsel for the respondent Nos.1 and 2, the impugned notice is deemed to have been withdrawn and accordingly the respondent authorities shall not insist on the said notice.

6. It is, however, made clear that the instant order so passed shall not preclude the respondent authorities to take appropriate action by issuing due notice.

7. With the above, the instant writ petition stands disposed of.

JUDGE

Comparing Assistant