

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

W.P.(C).No.2311 of 2015 (L)

PETITIONER(S):-

BHAVAN'S VIDYALAYA,
THOTTAKARA, OTTAPALAM, PALAKKAD-679 102,
REPRESENTED BY ITS SECRETARY N.K.JAYADEVAN

BY ADV. SRI.K.K.PREMALAL.

RESPONDENT(S):-

THE ASSISTANT PROVIDENT FUND COMMISSIONER,
EMPLOYEES' PROVIDENT FUND ORGANIZATION,
SUB REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN,
P.B.NO.1806, ERANHIPALAM, P.O.,
KOZHIKODE-673006.

BY STANDING COUNSEL SRI.THOMAS MATHEW NELLIMOOTTIL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS:-

- EXHIBIT P1: THE TRUE COPY OF THE NOTICE DATED 9.8.2012.
- EXHIBIT P2: THE TRUE COPY OF THE SUMMONS DATED 19.6.2013 ISSUED TO THE APPELLANT.
- EXHIBIT P3: THE TRUE COPY OF THE WRITTEN STATEMENT DATED 31.7.2013.
- EXHIBIT P4: THE TRUE COPY OF THE 7A ORDER DATED 4.4.2014.
- EXHIBIT P5: THE TRUE COPY OF THE REVIEW APPLICATION DATED 13.5.2014.
- EXHIBIT P6: THE TRUE COPY OF THE 7B ORDER DATED 24 SEP 2014.
- EXHIBIT P7: THE TRUE COPY OF THE REPRESENTATION FOR PROVIDING AN OPPORTUNITY.
- EXHIBIT P8: THE TRUE COPY OF THE LETTER DATED 5.12.2014.
- EXHIBIT P9: THE TRUE COPY OF THE NOTIFICATION DATED 7.11.2014 CONSTITUTING EPF APPELLATE TRIBUNAL BENGALURU.
- EXHIBIT P10: THE TRUE COPY OF THE LETTER DATED 21.11.2014, THE MINISTRY OF LABOUR AND EMPLOYMENT, GOVERNMENT OF INDIA.
- EXHIBIT P11: THE TRUE COPY OF THE APPEAL SENT TO THE EPF APPELLATE TRIBUNAL, NEW DELHI.
- EXHIBIT P12: THE TRUE COPY OF THE POSTAL RECEIPT OF EXHIBIT -P11.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/

- / true copy /-

K.Vinod Chandran, J.

W.P.(C).No.2311 of 2015-L

Dated this the 28th day of January, 2015

JUDGMENT

The petitioner is aggrieved by the non-consideration of the appeal and the interim applications filed as per Ext.P11. The learned counsel for the petitioner however would contend that the Tribunal presently does not have a Presiding Officer and the petitioner has sent the appeal by post to the Appellate Tribunal at New Delhi and have not yet received the number.

2. In the facts and circumstances of the case, the petitioner would be granted a stay on condition of deposit of 30% of the amount within a period of one month from today. Further recovery shall depend upon the orders passed in the interim applications or appeal filed by the petitioner before the Appellate Authority, whichever is earlier.

The writ petition is disposed of as above.

Sd/-
K.Vinod Chandran
Judge

vku/-

(true copy)