

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 14689 of 2015 (I)

PETITIONER(S) :

RUBCO HUAT WOODS PVT. LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI.P.V.HARIDASAN, ERANHOLI, THALASSERY,
KANNUR DISTRICT-670 107.

BY ADV. SRI.C.P.MOHAMMED NIAS.

RESPONDENT(S) :

1. EMPLOYEES' PROVIDENT FUND ORGANISATION,
SUB REGIONAL OFFICE, P.B.NO.117, V.K.COMPLEX,
FORT ROAD, KANNUR DISTRICT-670 001,,
REPRESENTED BY REGIONAL PROVIDENT FUND COMMISSIONER.
2. THE RECOVERY OFFICER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
SUB REGIONAL OFFICE, V.K.COMPLEX,
KANNUR DISTRICT-670 001.
3. ENFORCEMENT OFFICER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
SUB-REGIONAL OFFICE, V.K.COMPLEX, FORT ROAD,
KANNUR-670 001.

R1 BY ADV. DR.ABRAHAM P.MEACHINKARA, SC, EPF ORG.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ivs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT.P1 : TRUE COPY OF THE NOTICE DEMAND ISSUED BY R1.

EXT.P2 : TRUE COPY OF THE WARRANT OF ATTACHMENT OF MOVABLE
PROPERTY DT.13-3-2015.

EXT.P3 : TRUE COPY OF THE MAHAZAR DT.20-3-15 DRAWN UP THE R3.

EXT.P4 : TRUE COPY OF THE NOTICE OF PROCLAMATION OF SALE DT.
6-5-2015 ISSUED BY R2 TO THE PETITIONER.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.14689 of 2015

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Dated this the 5th day of June, 2015

JUDGMENT

Aggrieved by Ext.P2 warrant of attachment of the properties of the petitioner and Ext.P4 notice of sale proclamation on 21.5.2015, the petitioner has come up before this Court.

2. The petitioner was served with Ext.P1 notice of demand dated 26.2.2015 calling upon him to pay a sum of ₹60,66,879/- within 15 days from the date of the notice failing which steps would be initiated to realise the amount in accordance with E.P.F and M.P Act, 1952. This was followed by Ext.P2 warrant of attachment of moveable properties of the petitioner and Ext.P4 notice of proclamation of sale on 21.5.2015.

3. The petitioner though disputed the quantum of liability and excessive attachment of properties, is willing to pay the dues in equal and successive instalments.

4. This Court by interim order dated 19.5.2015 stayed further operation and enforcement of Ext.P4 and all further proceedings thereto till the disposal of the W.P(C) on condition that the petitioner pays an amount of ₹5 lakhs to the second respondent within one month from that date.

5. Today when the matter came up for hearing the learned counsel for the petitioner and the learned standing counsel for the respondent board submitted that the order has been complied with. The learned counsel for the petitioner confined his argument to the limited prayer for instalment facilities.

Considering the nature of the prayer, the submissions and the circumstances of the case, the petitioner is permitted to clear the dues in 12 equal monthly instalments starting from the 1st July, 2015.

sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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