

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

WP(C).No. 16957 of 2015 (T)

PETITIONER : -

M/S. KERALA STATE BAMBOO CORPORATION,
ANGAMALY SOUTH - 683 573, ERNAKULAM,
REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADVS.SRI.K.ANAND (SR.)
SMT.LATHA KRISHNAN
SRI.M.N.RADHAKRISHNA MENON

RESPONDENT : -

THE RECOVERY OFFICER & ASST.PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANIZATION,
SUB REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN,
KALOOR-682 017, ERNAKULAM.

BY ADV.SRI.A.RAJASIMHAN, SC, EPF ORGANISATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 16957 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF DEMAND NOTICE ISSUED BY THE EMPLOYEES
PROVIDENT FUND ORGANIZATION.

RESPONDENT'S EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

A.V. RAMAKRISHNA PILLAI,J.

W.P.(c) No. 16957 of 2015

Dated this the 08th day of June, 2015

JUDGMENT

Aggrieved by the coercive action against the petitioner Corporation on the basis of Exhibit P1 notice and seeking permission to clear the dues in 12 monthly installments commencing from 1st June, 2015, the petitioner Corporation has come up before this Court.

2. Kerala State Bamboo Corporation, the petitioner herein is a Government of Kerala Undertaking constituted for the welfare of people living upon cutting bamboo reeds, weaving of bamboo mats and making of bamboo products who by tradition belong to socially and economically backward communities. The company is running under huge loss and the net worth of the company as on 31.03.2015 is (-) 3162.08 lakhs; it is alleged. The respondent issued Exhibit P1 recovery notice for recovery of Rs.23,31,822/-

towards EPF contribution representing employer's share for the period from 03/2014 to 09/2014 demanding payment within 15 days from the date of notice failing which it is threatened with seizure of bank account and other coercive process. If it is materialized, the functioning of the company will come to a standstill causing hardship to the livelihood of several people relying on the company.

3. I have heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent in the matter.

As the claim as per Exhibit P1 is admitted and the only prayer is for installments, the writ petition is disposed of permitting the petitioner to clear the entire dues as per Exhibit P1 notice together with future interest, if any, in twelve equal monthly installments commencing from 01.06.2015 onwards.

A.V. RAMAKRISHNA PILLAI
JUDGE

DMR/-