

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

WP(C).No. 26615 of 2015 (B)

PETITIONER

KERALA STATE EX-SERVICES LEAGUE
DISTRICT COMMITTEE, KANNUR,
VIMUKTHA BHADA BHAVANAM,
BURNACHERY, KANNUR - 670 013
REPRESENTED BY ITS SECRETARY
M.V. JANARDHANAN.

BY ADV. DR. K. P. PRADEEP

RESPONDENTS:

1. UNION OF INDIA REPRESENTED BY THE SECRETARY
MINISTRY OF LABOUR & EMPLOYMENT,
SHRAM SHAKTI BHAWAN, RAFI MARG, NEW DELHI-110001.
2. THE ASSISTANT PROVIDENT FUND COMMISSIONER
EMPLOYEES' PROVIDENT FUND ORGANIZATION
SUB REGIONAL OFFICE, P.B.NO.117, VK COMPLEX
FORT ROAD, KANNUR-670013.
3. THE EMPLOYEES' PROVIDENT FUND APPELLATE TRIBUNAL
4TH FLOOR, CORE 2, SCOPE MINAR
LAXMI NAGAR, NEW DELHI-110092
REPRESENTED BY ITS REGISTRAR.
4. RECOVERY OFFICER, EMPLOYEES' PROVIDENT
FUND ORGANIZATION, SUB REGIONAL OFFICE,
P.B.NO.117, VK COMPLEX, FORT ROAD, KANNUR-670013.
5. THE KANNUR TOWN SERVICE CO-OPERATIVE BANK LTD
P.O.KANNUR, KANNUR-670002
REPRESENTED BY ITS SECRETARY.

R1 BY ADV. SMT. C. G. PREETHA, CGC
BY SRI. N. NAGARESH, ASSISTANT SOLICITOR GENERAL
BY DR. ABRAHAM P. MEACHINKARA, SC, EPF ORG.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE BYELAW OF THE PETITIONER ORGANIZATION REG NO.K 77/1992.
- EXHIBIT P2 : TRUE COPY OF THE ORDER NO.KR/KNR/18837/ENF.I(2)/7-A/2014-15/2993 DATED 18.11.2014 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P3 : TRUE COPY OF THE ORDER NO.KR/KNR/18837/ENF.I(2)/7-A/2014-15/3986 DATED 26.3.2015 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P4 : TRUE COPY OF THE CIRCULAR NO.SB-6/13570/85 DATED 10.06.1985 ISSUED BY THE DIRECTORATE OF SAINIKA WELFARE, GOVERNMENT OF KERALA.
- EXHIBIT P5 : TRUE COPY OF THE MEMORANDUM OF APPEAL WITHOUT ANNEXURE FILED BEFORE THE 3RD RESPONDENT EPF APPELLATE TRIBUNAL, NEW DELHI.
- EXHIBIT P6 : TRUE COPY OF THE CHALLAN DATED 03.12.2014 FOR AN AMOUNT OF RS 3,98,728 REMITTED AT STATE BANK OF INDIA, KANNUR BRANCH.
- EXHIBIT P7 : TRUE COPY OF THE NOTICE NO.KR/KNR/18837/ENF.I(2)/RECOVERY/2015-16/904 DATED 1.6.2015 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.
- EXHIBIT P8 : TRUE COPY OF THE ORDER NO.KL/KNR/18837/ENF.I(2)/DAMAGES/2015016/1782 DATED 23.7.2015 OF THE ASSISTANT PF COMMISSIONER, KANNUR.
- EXHIBIT P9 : TRUE COPY OF THE ORDER NO.KL/KNR/18837/ENF.I(2)/7-Q/2014-15/1332 DATED 23.07.2015 OF THE ASSISTANT PF COMMISSIONER, KANNUR.
- EXHIBIT P10 : TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 21-08-15 FILED BEFORE THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 26615 OF 2015

Dated this the 8th day of September, 2015

JUDGMENT

Ext.P10 appeal filed against Exts.P8 and P9 orders are pending with the third respondent. The petitioner is aggrieved by the coercive steps taken in the meanwhile pending appeal.

2. The petitioner is free to apply for appropriate interim orders in Ext.P10 appeal. Any motion for interim relief shall be considered within a period of one month. The coercive steps pursuant to Exts.P8 and P9 orders shall not be enforced for a period of six weeks to facilitate the petitioner to move the third respondent.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd