

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.7820 of 2012

ORDER:

Heard Sri Raja Ramamohana Rao, learned counsel for the petitioner and Sri R.N.Reddy, learned counsel for respondents.

The petitioner assails order No.AP/51064/RO/HYD/ENF/C-II/T-1/2012/2634 dated 07.03.2012.

This Court through order dated 21.03.2012 directed the 1st respondent to handover copy of Enforcement Officer's report to petitioner.

At the time of hearing, Sri R.N.Reddy, learned counsel for the respondents, submits that on 05.07.2012 as directed by this Court, the copy of report of Enforcement Officer is furnished to the petitioner.

Through the order impugned, the 1st respondent declined to set aside the *ex-parte* hearing conducted in the matter. One of the objections of petitioner against the enquiry under Section 7-A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act') is that the petitioner did not have reasonable opportunity to present its case. The learned counsel prays for setting aside the order impugned and direction to the respondents to hear the matter afresh.

Sri R.N.Reddy, learned counsel for the respondents, objects to the maintainability of the writ petition and secondly that having regard to the receipt of copy of Enforcement Officer on 05.07.2012, the petitioner has effective remedy under Section 7B of the Act and this Court need not consider the validity of the order impugned in the writ petition.

Perused the order dated 05.07.2012.

Admittedly, on 05.07.2012, the respondents send the copy of Enforcement Officer's report. The petitioner has effective remedy of review under Section 7B of the Act.

The petitioner is given two weeks time from today to file review against the order passed under Section 7A of the Act and the 1st

respondent is directed to consider all the objections and pass appropriate order within a period of two months thereafter.

With the above observation, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

S.V. BHATT, J

Date: 10.03.2015

KLP