

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.201 of 2010

ORDER :

This writ petition is filed seeking to issue a writ of *certiorari* calling for the records pertaining to the order dated 20-11-2009 passed by the Employees' Provident Fund Appellate Tribunal, New Delhi in ATA No.736(1) 2001 in confirming the proceedings No.AP/SRO/WL/ENF/23069/KHM/7A, Order/2001/518, dated 15-05-2001 issued by the 1st respondent, Prohibitory Order No.AP/SRO/WGL/ 23069/ENF/KHM/2001/1142, dated 09-07-2001 and Notice No.AP/EO/EPFO/KHM/2001/AP/23069/360, dated 22-10-2001 issued by the 2nd respondent and consequently quash the same as illegal and arbitrary.

2. When the matter is taken up for hearing, the learned counsel for the respondents 1 and 2 submitted before this Court that this Court has granted interim direction in W.P.M.P. No.221 of 2010, dated 19-01-2010, directing the respondent-authorities not to take any coercive steps against the petitioner pursuant to the orders dated 15-05-2001 and 20-11-2009 passed by the 3rd respondent - Tribunal, but, however, on a condition of the petitioner depositing an amount of Rs.5,00,000/-. But, as

the petitioner failed to comply with the said condition, the 1st Respondent has initiated steps for recovery and pursuant to which, the petitioner has also paid all dues. He further submitted that now the respondents have no grievance against the petitioner, since it has deposited the entire money. Therefore, he further submitted that the cause in the Writ Petition does not survive for adjudication and the Writ Petition is liable to be dismissed as infructuous. Respondents 1 and 2 have also filed the counter-affidavit to that effect.

3. In view of the above, this Court is of the view that the cause in the Writ Petition does not survive for adjudication. Hence, the Writ Petition is disposed of as infructuous. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

24th February, 2015

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