

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.8882 of 2009

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ORDER :

This Writ Petition is filed seeking to issue a writ of *Mandamus* to declare (i) the impugned order No.AP/SRO/PTC/ENF/26305/2009-10/6324, dated 01-04-2009, received through Speed Post on 22-04-2009, issued by the 1st respondent, rejecting the review application under Section 7(B) of E.P.F. Act; (ii) the order dated 19-01-2009 passed by the 2nd respondent under Section 7-A of E.P.F. Act, determining P.F. amounts; and (iii) order under Section 8-F No.AP/SRO/PTC/ENF/ 26305/2009-10/6375, dated 21-04-2009 issued by the 2nd respondent, attaching the bank account viz., SBI, Balanagar Branch, as illegal and arbitrary.

When the matter is taken up for hearing, the learned counsel for the petitioner submitted before this Court that instead of preferring an appeal under Section 7-I of Employees Provident Fund Act, the petitioner has wrongly filed the review petition and therefore, seeks permission of this Court to approach the Employees Provident Fund Appellate Tribunal by invoking the provisions under Section 7-I of the Employees Provident Fund Act.

Considering the facts and circumstances of the case,

the Writ Petition is disposed of as follows :

The petitioner is at liberty to prefer an appeal against the order passed under Section 7-A of Employees Provident Fund Act before the Employees Provident Fund Appellate Tribunal by invoking the provisions under Section 7-I of the Employees Provident Fund Act within a period of six weeks from the date of receipt of a copy of this order and on such filing of the appeal, the Employees Provident Fund Appellate Tribunal is directed to dispose of the same as expeditiously as possible, more preferably within a period of six months. Till the disposal of the appeal, the suspension granted by this Court shall be continued. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

18th February, 2015

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