

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Civil Writ Petition No.2269 of 2011

Date of decision: 24.9.2015

RPFC

... Petitioner

Versus

The Employees Provident Fund Appellate Tribunal and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Rajiv Sharma, Advocate,
for the petitioner.

Ms.Divya Sharma, Advocate,
for respondent No.2.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

It was the only Board of Trustees which manages the affairs of the EPF Organization which can approach the writ Court against the orders passed by the competent authority constituted under the Employee's Provident Fund and Miscellaneous Provision Act, 1952 Act including Employees Provident Fund Appellate Tribunal, New Delhi.

The Board of Trustees has not authorised filing of this writ petition nor has delegated its authority to RPFC to file and maintain this petition.

Besides, in the remand proceedings, the appellate tribunal reviewing the order passed by the authority levying damages under Section

CWP No.2269 of 2011

: 2 :

14B of the Act has for good and sufficient reduced penalty from 100% to 22% in terms of para. 32-A of the EPF Scheme. In the light of both the above positions, no merit is found in the petition, which is ordered to stand dismissed in limine.

**(RAJIV NARAIN RAINA)
JUDGE**

September 24, 2015
Paritosh Kumar