

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

Civil Writ Petition No.24459 of 2011

Date of decision: 18.8.2015

The Regional Provident Fund Commissioner

... Petitioner

Versus

Employee Provident Fund Appellate Tribunal and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mrs.Geeta Sharma, Advocate,
for the petitioner.

Mr.Ish Puneet Singh, Advocate,
for the respondents.

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

RAJIV NARAIN RAINA, J. (Oral)

This petition has been filed by the Regional Provident Fund Commissioner, Ludhiana against a decision of the Employee's Provident Appellate Tribunal, New Delhi in a case arising out of a engineering college at Ludhiana. It is not open to the RPFC which is a statutory office to question the dispensation by the Appellate Tribunal constituted under the Employee's Provident Fund and Miscellaneous Provisions Act, 1952 [in short, "the Act"] under which both the Commissioner and the Tribunal function. On this short ground, the writ petition is dismissed.

At this stage, Ms.Geeta Sharma appearing for the
Commissioner-RPFC prays that she may be allowed to withdraw the writ

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: 2 :

petition with liberty to file a fresh one through the Board of Trustees constituted under the Act which alone has the power to sue and be sued.

Dismissed with the aforesaid liberty.

(RAJIV NARAIN RAINA)
JUDGE

August 18, 2015
Paritosh Kumar