

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

**CWP No.5957 of 2011 (O&M)  
Date of decision: 06.04.2015**

Onkar Singh Lalit Kumar

... Petitioner

Vs.

Provident Fund Commissioner-II, Chandigarh  
& others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Ranjit Saini, Advocate  
for the petitioner.

Mr. Sanjay Tangri, Advocate  
for the respondents.

**AMIT RAWAL J. (ORAL)**

Challenge in the present writ petition is to the order dated 01.03.2011 (Annexure P-11) passed by the Employees' Provident Fund Appellate Tribunal, New Delhi.

Mr. Ranjit Saini, learned counsel appearing on behalf of the petitioner-Management contends that the order of the Appellate Tribunal suffers from non-application of mind, erroneous, much less, perverse. He further contends that the Appellate Tribunal was enjoined upon an obligation to refer the contention made by the

parties to the lis, much less, any reasoning thereon.

Mr. Sanjay Tangri, learned counsel appearing on behalf of the respondents submits that the order is justified, fair and well reasoned. He further submits that the Management has failed to appear before the Assessing Authority and thereafter, a total opposite stand has been taken in the grounds of appeal.

Be that as it may, the fact remains that the Appellate Tribunal has not given any reasons, much less, cogent reasons in dismissing the appeal.

The Appellate Tribunal was/is required to give reasons qua the grounds taken and urged by the Management, since the order suffers from non-application of mind, much less, no reason has been assigned. I deem it appropriate, to remand the matter back to the Appellate Tribunal by setting aside the order dated 01.03.2011 (Annexure P-11) which is under challenge before this Court by restoring the appeal to its original number and with a further direction to the Appellate Tribunal to decide the matter afresh by passing a detailed and reasoned order.

It is expected that the Tribunal shall decide the matter within a period of four months from the date of receipt of a certified copy of this order

The parties are directed to appear before the Tribunal on 10.08.2015, for further consideration of the matter.

With the aforementioned observations, the writ petition stands disposed of.

**(AMIT RAWAL)**  
**JUDGE**

**April 06, 2015**  
savita