

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

C.W.P. No.26204 of 2012 (O&M)
DATE OF DECISION : 10.2.2015

Employees Provident Fund Organisation

PETITIONER

VERSUS

M/s Amandeep Hospital and another

RESPONDENTS

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

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

Present:- Shri Sanjay Tangri, Advocate for the petitioner.

Shri Harjeet Singh Gill for Shri S.C.Khunger, Advocate.

MAHESH GROVER, J.

The petitioner impugns the order Annexure P-5 where the assessment under the provisions of the Provident Fund Act on the report of the Inspecting Officer/Squad to the effect that twelve persons were not enrolled as members of the Organisation has been discarded by the Appellate Tribunal on the ground that no physical verification of the employees working in the hospital had been done from the record.

This finding as to whether physical verification was done or not or whether twelve employees were enrolled as members of organisation or not, are disputed questions of fact which cannot be answered in the exercise of the jurisdiction of this Court under Article 226 of the Constitution of India. But suffice it to say that since this forms the sole basis of the order of the Tribunal, it would not debar the petitioners from holding fresh enquiry through its inspection officer or squad.

Petition disposed of as above.

February 10, 2015
GD

(MAHESH GROVER)
JUDGE