

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37336 of 2016

ORDER:

Greater Warangal Municipal Corporation, Warangal filed this writ petition alleging that as per the orders passed by the 1st respondent dated 10.12.2013 under Section 7-A of the Employees Provident Fund & Miscellaneous Provisions Act, 1952 (for short 'Act'), the petitioner has deposited the entire amount, which is admittedly, in excess of Rs.25,00,000/-, for which, it has already preferred a revision before the 1st respondent dated 28.5.2016 and the same is pending with the 1st respondent. Hence, the learned counsel for the petitioner prayed this Court to direct the 1st respondent to dispose of the representation of the petitioner dated 28.05.2016. It is the further grievance of the petitioner that even though the petitioner has deposited the entire amount as determined by the 1st respondent, the petitioner wants to challenge the said order of 1st respondent on the ground that the calculation arrived at by the authorities concerned is not in consonance with the Rules and the provisions of the Employees Provident Fund & Miscellaneous Provisions Act, 1952, but however, due to some unavoidable circumstances, it could not prefer an appeal within the statutory period of 60 days and hence, prayed this Court to permit the petitioner to prefer an appeal before the appellate tribunal.

Heard and perused the material available on record.

Considering the grievance of the petitioner herein, the 1st respondent is directed to dispose of the representation of the petitioner dated 28.05.2016 within a period of one month from the date of receipt of a copy of this order. As far as the second prayer of the petitioner is concerned, the petitioner explained in the affidavit that due to

unavoidable circumstances, it could not prefer the statutory appeal within the time. Hence, the petitioner is directed to prefer an appeal as desired, before the appellate tribunal at New Delhi within a period of 60 days from the date of receipt of a copy of this order and on filing such appeal, the appellate tribunal is directed to entertain the appeal without rejecting it on the ground of delay and dispose of the same in accordance with law after hearing the parties concerned.

With the above directions, the writ petition is disposed of. No order as to costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

02.11.2016.
Tsr



RAJA ELANGO,J

