

\$~63

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5973/2016

VAISHALI INTERNATIONAL SCHOOL Petitioner
Through: Mr. R.M. Sinha, Mr. P.M. Sinha, Mr. A.
Srivastava and Ms. Namita Sinha, Advs.

versus

EMPLOYEES PROVIDENT FUND ORGANIZATION
DELHI Respondent
Through: Mr. R.C. Chawla, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **15.07.2016**

W.P.(C) 5973/2016

This is a petition filed by the petitioner challenging the notice dated 24th February, 2016 issued by the authority under Section 14 (B) of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

It is the submission of learned counsel for the petitioner that such a notice could not have been issued, when in the earlier petition being W.P.(C) 2194/2007, emanating from the order passed under 7(A) of the Act, resulted in compromise inasmuch as the petitioner School had tendered an amount of Rs.2,94,688/- in satisfaction of the order under 7(A). According to him, once the claim has been satisfied by the petitioner School, there is no reason

for the authorities to ask the School to pay damages/interest. Mr. R.M. Sinha, learned counsel for the petitioner concedes that no reply to the notice dated 24th February, 2016 has been filed.

Mr. R.C. Chawla, Adv. who appears for the respondent on advance notice states that the writ petition shall be considered as a reply to the said notice and same shall be decided within four weeks. He also states that the petitioner is required to appear before the Authority to put forth its case.

Noting the submissions, the writ petition is disposed of with a direction, that the concerned Authority to consider the Writ Petition as a reply to the notice dated 24th February, 2016 and pass a reasoned and speaking order.

The petitioner, through its representative to appear before the Regional Provident Fund Commissioner, Laxmi Nagar on 1st August, 2016. Petitioner would be at liberty to make additional representation, on or before the date of hearing.

A copy of this order be given *dasti* to both the parties.

CM No.24618/2016

Dismissed as infructuous.

V. KAMESWAR RAO, J

JULY 15, 2016/jg