

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No.39 of 2015**

Aaskaran Jain S/o. Late Shri Ranulal Jain, aged 74 years, C/o. Mahendra Enterprises, Hosiery Market, Pandri, Raipur, Distrit Raipur (CG)

---Petitioner

Versus

- 1.** Employees Provident Fund, Through Regional Provident Fund Commissioner, Indira Gandhi Vyavsayik Parisar, Pandri, Raipur, Dist.Raipur (CG)
- 2.** Recovery Officer and Assistant Provident Fund Commissioner C/o. Employees Provident Fund, Indira Gandhi Vyavsayik Parisar, Pandri, Raipur, Dist.Raipur (CG)

---Respondents

For Petitioner	:	Mr.Bhaskar Payasi, Advocate
For Respondents	:	Mr.Sunil Pillai, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

07/04/2017

- 1.** Learned counsel for the petitioner would submit that the petitioner has not been noticed while passing the order dated 31st May, 2004 (Annexure R/1) and even that order has not been served to him and straightway warrant of arrest has been issued. He would further submit that interim order has been granted by this Court on 14.10.2015.
- 2.** On the other hand, learned counsel for the respondents would submit that against the order dated 31st May, 2004, review would lie under Section 7-B of the Employees' Provident Funds & Misc. Provisions Act, 1952 before the

Regional Provident Fund Commissioner.

3. In view of above, learned counsel for the petitioner would submit that the petitioner may be allowed to prefer the review application before the Regional Provident Fund Commissioner.
4. The petitioner is permitted to do so. If the petitioner prefers the review application before the Regional Provident Fund Commissioner, the Regional Provident Fund Commissioner would do well and dispose of the same within a period of four months from the date of presentation of the review application. During that period, no coercive steps shall be taken against the petitioner.
5. With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-