

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.39412 of 2017

ORDER:

Heard Mr.Sikanth Kaveti for petitioner and Ms.Manjula holding for Sri Y.Ravindra for respondents 2 and 3.

The petitioner challenges show-cause notice, dated 28.09.2017, as illegal, arbitrary and suffers from malafides.

On 22.10.2017, the petitioner replied to the show-cause notice impugned in the writ petition.

I have perused the show-cause notice impugned in the writ petition and the reply, dated 22.10.2017. According to petitioner, the unit was closed as early as 2007 and the period of demand covered by the notice is between 01.06.1996 and 28.02.2014.

According to petitioner, as long as the petitioner was carrying on the business activity, the PF contribution of both employer and employee was paid and since business is discontinued and no employee is working with the petitioner, there is no obligation for the petitioner to pay P.F.

This Court is of the view that this is a basic fact, which requires detailed enquiry by 3rd respondent. The petitioner has already filed reply. The reply may be examined, enquiry as warranted is conducted, the petitioner is given an opportunity by 3rd respondent and thereafter, orders are passed and communicated, if any.

It is needless to observe that as enquiry is pending, no coercive step and pressure is exerted on the petitioner for payment of P.F. dues, which is the subject matter of enquiry.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 22-11-2017
Prv



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22-11-2017

Prv

