

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 2283 of 2010**

Vijay Nath Dubey, Aged 82 years, S/o Late Shri Shivdhari Dubey, R/o "Shivayam Bhawan" Pratappur Naka Ambikapur, District Sarguja (C.G.) "Former President of the "Abhinav Vidya Neketan", Ambikapur

---- Petitioner

Versus

1. Regional Provident Fund Commissioner Employees Provident Fund Organization Regional Office, Chhattisgarh Raipur Bhavishyanidhi Bhawan, Block-D, Indira Gandhi Vyavashyik Parisar, Pandri, Raipur.

2. Assistant Provident Fund Commissioner Employees Provident Fund Organization Regional Officer, Madhya Pradesh, Indore.

3. Assistant Provident Fund Commissioner, Employees Provident Fund Organisation Regional Office, Chhattisgarh Raipur Bhavishyanidhi Bhawan, Block-D, Indira Gandhi Vyavsayik Parisar Pandri, Raipur

----Respondents.

For Petitioner	:	Mr. Jitendra Nath Nande, Advocate.
For Respondents	:	Mr. Sunil Pillai, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

30/08/2018

(1) Petitioner's application under Section 7(B) of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 has been dismissed by the impugned order dated 12.03.2010 passed by Assistant Provident Fund Commissioner, Employees Provident Fund Organization, Regional Officer, Raipur.

(2) I have heard learned counsel appearing for the parties and perused the material available on record with utmost circumspection.

(3) It appears that petitioner review application against the order dated 17.01.1997 has

been rejected by the impugned order but no reasons have been assigned for holding that review application to be time barred and not maintainable. The Assistant Commissioner was obliged to record the reasons for rejecting the application for review, which has not been done.

(4) Consequently, the impugned order dated 12.03.2010 is liable to be and is hereby set aside. Review application is restored to the file of Assistant Commissioner, Provident Fund for hearing and disposal in accordance with law expeditiously preferably within a period of three months from the date of receipt of certified copy of this order.

(5) With the aforesaid observations, the writ petition stands finally disposed of.

(6) Interim order granted on 19.07.2010 shall remain in force for a period of three months.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-

