

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Writ Petition (L) No.7377 of 2011

M/s Apollo Hospitals Bilaspur, Through Chief Operating Officer,
 Apollo Hospitals Bilaspur, Lingiyadih, Bilaspur (CG)

---Petitioner

Versus

- 1.** Assistant Regional Provident Fund Commissioner, Raipur (CG)
- 2.** Recovery Officer, Officer of Recovery Officer, Regional Provident Fund Commissioner, II, Raipur (CG)

---Respondents

For Petitioner	:	Mr.Alok Bakshi, Advocate
For Respondents	:	Mr.Sunil Pillai, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

28/06/2018

- 1.** Learned counsel for the petitioner would submit that Employees' Provident Funds Appellate Tribunal has dismissed the appeal on merits without hearing the petitioner and without noticing the date of place of hearing of the appeal as required by Rule 13 of the Employees' Provident Funds Appellate Tribunal (Procedure) Rules, 1997 (hereinafter called as 'the Rules of 1997'), as such, the impugned order deserves to be set aside.
- 2.** On the other hand, learned counsel for the respondents would support the impugned order.
- 3.** It appears from the record that the Tribunal has not informed the petitioner about the date and place of hearing of the appeal and straightway dismissed the

appeal on merits, which is in teeth of the provisions contained in Rule 13 of the Rules of 1997.

4. In view of above, the impugned order is set aside. The matter is remitted to the Central Government Industrial Tribunal, Jabalpur for hearing and disposal in accordance with law after hearing the parties.
5. The writ petition is allowed to the extent indicated hereinabove. No cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-