NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPL No. 3116 of 2011

Rameshwar Jaiswal, S/o Bihari Lal Jaiswal, aged about 58 years, R/o Dayalbandh, Bilaspur, District Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh through – Secretary, Cultural Department, D.K.S. Bhawan, Raipur (C.G.)

2. Government of India, through Secretary, Ministry of Labour & Employment, Delhi.

3. Assistant Provident Fund Commissioner, Regional Office, Indira Gandhi Vyavsayik Parisar, Pandri, Raipur (C.G.)

4. Recovery Officer & Regional Provident Fund Commissioner, Regional Office, Indira Gandhi Vyavsayik Parisar, Pandri, Raipur (C.G.)

5. District Magistrate, Bilaspur, District Bilaspur (C.G.)

---- Respondents

For Petitioner : Ms. Meena Shastri, Advocate.
For Respondents / State : Mr. S. P. Kale, Dy. Advocate General.
For Respondents-3 & 4 : Mr. Sunil Pillai, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/05/18

1. Learned counsel appearing for the petitioner would submit that the order dated 17.10.2006 assessing the E.P.F. has already been passed by respondent No. 3 without hearing the petitioner in pursuance to which show cause notice has been issued to the petitioner on 17.03.2011 (Annexure-P/2) for depositing the recovery amount.

2. Mr. Sunil Pillai, learned counsel appearing for respondents – EPF would submit that no one appeared on behalf of the establishment and the

case was adjourned on number of occassions hence show cause notice for warrant of arrest has been issued to the petitioner.

3. I have heard learned counsel for the parties, considered their submissions made herein above and gone through the records with utmost circumspection.

4. Be that as it may, petitioner is at liberty to make objections / representation before the respondent authorities within two weeks from today and, in turn, respondent authorities are directed to hear the petitioner and consider the objections / representation made by the petitioner expeditiously preferably within a period of three weeks from the date of receipt of filing of the objections by passing a reasoned and speaking order.

5. Till the disposal of the said objections / representation, no coercive steps shall be taken against the petitioner.

6. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

Priyanka