

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.19803 OF 2017

ORDER:

Heard learned counsel appearing for parties.

The petitioner prays for Mandamus declaring the orders of 2nd respondent dated 22nd of May 2017 unilaterally rejecting the review petition of petitioner and also the orders in TS/Hyd/RO/61989/compliance III/T-5/2017/4909 dated 10.02.2017 and the order dated 05.12.2016 of the respondents as illegal, violative of principles of natural Justice and unconstitutional.

On 3rd August 2017, this Court extended interim order granted on 19th of June 2017 for a further period of 12 weeks. Mr. T.Balaji appearing for respondents objects to maintainability of the writ petition under Article 226 of Constitution of India on the ground that the objections raised in the writ petition can be effectively and efficaciously considered by the Tribunal under the provisions of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

The petitioner does not have objection to avail the remedy of appeal before the Tribunal, however, the petitioner seeks four (4) weeks time from the date of receipt of copy of this order to file statutory appeal.

The writ petition is disposed of by this order:

The interim order granted by this Court on 19th of June 2017 is extended for 3 months from today. The petitioner is given liberty by enclosing a copy of this order to file appeal against the orders impugned in the present writ petition within four (4) weeks from

today. The appellate authority considers disposing of the stay petition filed by the petitioner as expeditiously as possible preferably within six (6) weeks from the date of filing of stay application by petitioner. The appeal, if is filed as directed by this Court, by enclosing a copy of this order, the appeal is numbered without reference to delay if any, and the appeal as well as the stay application are heard on merits and disposed of.

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

Miscellaneous petitions pending, if any, stand closed.

Date: 02.01.2018

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S.V. BHATT, J