

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION NO. 28916 OF 2010

ORDER:

Heard the learned counsel for the petitioner as well as Sri T. Balaji, learned Standing Counsel appearing for respondent No.1.

2. During the course of hearing, the maintainability of the present Writ Petition in this Court, is raised by the learned counsel for the petitioner.

3. Learned counsel for the petitioner argued that the impugned orders are passed in Camp Court at Guntur and as such, this Court has got jurisdiction.

4. It is brought to the notice of this Court by the learned standing counsel for respondent No.1 that the petitioner has undertaken the job works of respondent No.3 at Jamshedpur and also entered into an agreement at Jamshedpur. The petitioner, in turn also entrusted the job works to respondent No.2 at Jamshedpur and the works have been executed at Jamshedpur. The engagement of employees by the petitioner through respondent No.2 was also at Jamshedpur and respondent No.1 i.e., appellate authority is also situated at Jamshedpur under the provisions of the Employees Provident Fund and Miscellaneous Provisions Act, 1952. The petitioner filed an appeal before respondent No.4 which is situated in New Delhi.

5. In the light of the above, viewed from any angle, either on the original cause of action or the subsequent cause of action, this Court does not have jurisdiction.

6. Therefore, this Court is not inclined to entertain the Writ Petition on the ground of lack of territorial jurisdiction.

7. Accordingly, the Writ Petition is dismissed. However, liberty is given to the petitioner to pursue the remedies available to him as per law.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

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P. KESHAVA RAO,J

Date: 14.11.2018

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