

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21673 OF 2018

ORDER:

This writ petition is filed challenging the action of the 2nd respondent in issuing the impugned order dated 12.06.2018, directing the 4th and 5th respondents to freeze the bank accounts of the petitioner bank, behind its back, without justification and in violation of the provisions under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the procedure contemplated under Section 7A of the said Act.

Learned counsel for the petitioner bank submits that the 2nd respondent without determining the amounts to be payable by the petitioner bank, has passed the impugned order for freezing the accounts of the petitioner without any authority of law.

Sri Y.Ravindra, learned Standing Counsel for respondents 1 and 2 submits that as the petitioner is not cooperating with the inquiry, having no other go, impugned order is passed; and that the petitioner with an intention to drag on the enquiry, is making several representations to extend the time for production of records.

Admittedly, the amounts payable by the petitioner are not determined by the competent authority and in the absence of the same they cannot freeze the account of the petitioner bank.

In view of the same, the impugned order is set aside. However, the petitioner shall cooperate with the inquiry to be conducted by the respondents by producing required documents. Failing which, it is open for the respondent authorities to pass appropriate orders on merits and take action, in accordance with law.

Accordingly, the writ petition is allowed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

04.07.2018
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A.RAJASHEKER REDDY, J

