

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION NO. 3 2 2 1 OF 2015

ORDER :

This writ petition is filed by the petitioner invoking the inherent jurisdiction of this Court under Article 226 of the Constitution of India, aggrieved by the orders passed by the second respondent in Proceedings No. AP/RO/GNT/49623/C.III/P-2/78 ORDER/2015/2383, dated 03-03-2015 which are consequential to the orders dated 03-03-2014 and 23/1/2015 respectively.

2. Heard the learned counsel for the petitioner and Sri K. Lakshman, learned Assistant Solicitor General for the first respondent/Union of India and Sri B. Narasimha Sarma, learned standing counsel for the second respondent-Employees Provident Fund Organization.

3. On verifying the records and after hearing Sri N. Subba Rao, learned counsel appearing for the petitioner and also the learned standing counsel for the second respondent, it is evident from the record that the second respondent-authority has not considered the statements furnished by the petitioner and also the challans of payment of amount pertaining to the Provident Fund in respect of the employees in the construction company of the petitioner is also not considered and the same are reflected in the record. Hence, without going into the other issues of the matter,

prima facie, this Court is satisfied that the orders impugned and the order in appeal, which is consequential are hereby set aside, directing the second respondent-primary authority to look into the matter and hear the petitioner afresh and pass appropriate orders on merits and in accordance with law by taking into consideration the payment made by the petitioner-company. The above exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. The petitioner is at liberty to file its representation along with necessary material before the concerned officer enabling them to file the same and pass appropriate orders.

4. Hence, the writ petition is allowed and remanded to the second respondent-primary authority as directed above. No costs.

5. As a sequel, miscellaneous applications if any, pending in this writ petition shall stand closed.

JUSTICE T. AMARNATH GOUD.

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION NO. 3221 OF 2015

[RESULT : ALLOWED AND REMANDED]

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Court Master : I s L