

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29752 OF 2018

ORDER :

Heard learned counsel for the petitioner and Sri T.Balaji, learned Standing Counsel for respondents 2 & 3.

Sri T.Balaji, learned Standing Counsel for the respondents 2 & 3 submits that the Writ Petition is premature as no order under Section 7(Q) and 14 (B) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short 'the Act of 1952') determining interest and damages is passed. He submits that the petitioner is challenging only Daily Order. As far as challenge to the main order dated 04.02.2010 is concerned, he submits that petitioner is having alternate remedy of appeal against the same and that the Writ Petition is filed after lapse of eight years, after passing of main order. He further submits that in pursuant to impugned order dated 04.02.2010, amounts were paid by the petitioner and same were distributed to the employees.

Learned counsel for the petitioner submits that an opportunity may be given while passing order under Section 7(Q) and 14 (B) of the Act of 1952.

In view of above facts and circumstances, this Writ Petition is disposed of directing the respondents 2 & 3 to afford an opportunity of hearing to the petitioners, in an enquiry to be conducted for levying interest and damages as per the Sections 7(Q) and 14 (B) of the Act of 1952 and pass appropriate orders in accordance with law.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

A.RAJASHEKER REDDY, J

29-08-2018.
kvs



HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY



kvs