

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.39221 OF 2018

Date:13.11.2018

Between:

Sri Panchajanya Warehousing (P) Ltd.,
Rep., by its Director, Mr. R.V.V. Prasad
Raju, Cyber Gateway, B-Block, 2nd floor,
Wing – 2, Hi-Tech City, Madhapur, Hyderabad .. Petitioner

And

Andhra Pradesh State Warehousing
Corporation, rep., by its Managing Director,
Mr. K.V. Ramana, D.No.11-97/1,
K. Shankar Rao Street, Beside Jointcare
Time Hospital & More Super Market,
Ashok Nagar, Kanuru, Vijayawada .. Respondent



This Court passed the following order:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.39221 OF 2018****ORDER:**

Heard learned counsel for the petitioner and learned Standing Counsel for the respondent - Corporation.

2. This Writ Petition is filed challenging the proceedings dated 10.10.2018 whereunder it was informed that an amount of Rs.98,50,220/- was to be paid or to be recovered from the petitioner company and another company.

3. According to learned counsel for the petitioner company, no details are furnished to it as to how the said amount was arrived at by the respondent Warehousing Corporation. According to petitioner company, petitioner company and Matrix Warehousing are two independent entities, whereas the impugned proceedings show that a consolidated amount was to be paid or recovered against two companies without giving breakup of liability to the respective companies.

4. Having regard to the said contention, learned Standing Counsel for the respondent Warehousing Corporation was directed to produce a statement of breakup of amounts payable to two companies separately. Learned Standing Counsel circulated a tabulated statement disclosing the breakup by splitting the amounts. According the said statement, an amount of Rs.27,84,003/- was adjusted from the petitioner company.

5. Learned counsel for the petitioner company would submit that no proof of payment of the said amount is furnished in the

statement and if the same is furnished to the petitioner company, it will file a suitable explanation and would persuade the respondent Warehousing Corporation to reconsider the amount adjusted.

6. Having regard to the said submission, the Writ Petition is disposed of directing the respondent Warehousing Corporation to furnish the particulars of employees against whom contributions are made to ESI Corporation and how the total amount of Rs.27,84,003/- was arrived. On furnishing such information, it is open to the petitioner company to file an explanation, if it disputes the amount arrived at by the respondent Warehousing Corporation. On filing such explanation, the respondent Warehousing Corporation shall verify the accounts vis-à-vis the amounts and take an appropriate decision by assigning due reasons. In the said process, if the respondent Warehousing Corporation comes to the conclusion that the total amount arrived at now is not correctly determined and only lesser amount is to be deducted from the petitioner company, the consequential steps shall be taken by the respondent Warehousing Corporation. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:13.11.2018

KH