

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

COCP No.3285 of 2013

Rajesh Kumar and Ors.

....Petitioners

Versus

Kishan Partap, Regional Provident Fund Commissioner and Ors.

....Respondents

And

COCP No.2 of 2015

Dalsher and Ors.

....Petitioners

Versus

Kishan Partap, Regional Provident Fund Commissioner and Ors.

....Respondents

And

COCP No.3304 of 2013

Balraj and Ors.

....Petitioners

Versus

Kishan Partap, Regional Provident Fund Commissioner and Ors.

....Respondents

Date of Order: 13.07.2018

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ramesh Goyat, Advocate for the petitioners.

Mr. Sanjay Tangri, Advocate for respondent No.1.

Mr. R.D. Bawa, Advocate for respondent No.2.

Mr. Sunil Kumar Vashisht, DAG, Haryana.

JASWANT SINGH, J (ORAL)

This order will dispose of above mentioned three contempt petitions as identical issue is involved in these petitions and can be disposed of by a common order.

The petitioners in all the petitions were employed at one point of time with the respondent-M/s Sandhu Security Services (for short “service provider”) on different posts for performing duties in the Divisions of Haryana Vidyut Prasaran Nigam Limited (for short “HVPNL”) at Kaithal and Panipat etc. The service provider is stated to have deducted the amount

of provident fund out of their salaries, however, did not deposit the same along with its own contribution before the Regional Funds Commissioner, Rohtak.

The petitioners filed separate writ petitions before this Court, which were disposed of with a direction to the Regional Fund Commissioner to consider their claims and if found entitled, release the amount to them within three months from the receipt of certified copy of the orders.

Since the needful was not done, hence the present contempt petitions.

Upon notice, Sh. Sanjay Tangri, learned counsel appearing for the respondent-Regional Fund Commissioner submits that notice to the service provider under Section 7-A of the Employees Provident Fund Scheme, 1952 was duly issued and orders passed against the service providers as also the principal employer-HVPNL. The HVPNL is stated to have gone in appeal before the Employees Provident Fund Appellate Tribunal wherein stay of recovery has been ordered.

In this view of the matter, learned counsel appearing for respondent Nos.1 & 2 state that as and when the proceedings attain finality, the amount shall be released, in accordance with law.

Taking into account the aforesaid statement, no case for contempt is made out.

Disposed of.

Rule discharged.

July 13, 2018
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No