

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

430

**CWP-10363-1995 (O&M)
Date of decision:19.02.2018**

M/s Prompt Security Services

...Petitioner

Versus

The Regional Provident Fund Commissioner, Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr.Aseem Aggarwal, Advocate for
Mr. Harsh Aggarwal, Advocate for the petitioner.

Mr. Sandeep Goyal, Advocate for the respondent-RPFC.

P.B. BAJANTHRI, J. (ORAL)

On 18.12.2017 following order was passed:-

*“Perused Inspection Report dated 20.07.1992
(Annexure P2). Para 2 of Inspection Report reads as
under:-*

*“As per attendance register/wages register from
3/89 to 2/90, there are 6 establishment. The wages
and attendance have been shown-the same have
signed by me. But as per ledger there are 66
establishment from which they have received some
commission for supply of securities. The details are
attached. The dues in r/o of the establishment of 60
which are not shown in the wages register may be
assessed under Section 7-A of the E.P.F., M.P.Act,
1952 on the total amount received from them as the
detail of wages have not been given in any record of
establishment.”*

Whereas, proceedings under Section 7-A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (for short "Act") issued on 26.12.1994 of Assistant Provident Fund Commissioner has determined PF Account No.1 and 10 total amount of Rs.8,97,768/-. Perusal of the proceedings under Section 7-A of the Act do not reveal how the Assistant Provident Fund Commissioner arrived the aforesaid amount. Therefore, the concerned respondent is directed to file an affidavit with reference to material to the extent how the Assistant Provident Fund Commissioner has arrived total amount of Rs.8,97,768/- on the next date of hearing.

List this matter on 23.01.2018."

Despite giving sufficient time respondents have not complied the order. Accordingly, CWP stands allowed. Impugned order is set aside. Matter is remanded to the respondent-Department for fresh consideration under 7-A proceedings. 7-A proceedings shall be completed within a period of 4 months from the receipt of this order. Petitioner is hereby directed to cooperate in deciding proceedings under Section 7-A as and when date is fixed by the respondent-department.

19.02.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No