

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 9373 of 2018 (O&M)

Date of Decision: 13.11.2018

Food Corporation of India Worker's Palledar Union

...Petitioner

Vs.

The Central Provident Fund Commissioner and others

...Respondents

2. CWP No. 16170 of 2018 (O&M)

Food Corporation of India Workers Palledar Union

...Petitioner

Vs.

The Central Provident Fund Commissioner and others

...Respondents

3. CWP No. 12875 of 2018 (O&M)

Food Corporation of India Workers Palledar Union

...Petitioner

Vs.

The Central Provident Fund Commissioner and others

...Respondents

4. CWP No. 17355 of 2018 (O&M)

Food Corporation of India Workers Union

...Petitioner

Vs.

The Central Provident Fund Commissioner and others

...Respondents

5. CWP No. 10829 of 2018 (O&M)

Food Corporation of India Workers Union

...Petitioner

Vs.

The Central Provident Fund Commissioner and others

...Respondents

6. CWP No. 10826 of 2018

Food Corporation of India Workers Palledar Union

...Petitioner

Vs.

The Central Provident Fund Commissioner and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vikas Bahl, Senior Advocate with
Mr. Arvind Sood, Advocate,
Mr. Jai Bhagwan Sharma, Advocate
Mr. Harbani Shinh, Advocate
for the petitioner.

Mr. Rajesh Hooda, Advocate
for respondent Nos. 1 & 2.

Mr. K. K. Gupta, Advocate
for Food Corporation of India

RAJIV NARAIN RAINA, J. (Oral)

CM No. 15967 of 2018

CM is allowed as prayed for.

Written statement is taken on record.

Main case

This order will dispose of the above mentioned six writ petitions.

Learned counsel for respondent Nos. 1 & 2/Central Provident Fund Commissioner states that proceedings under Section 7-A of the Employees Provident Funds and Miscellaneous Provisions Act 1952 have been initiated against the Food Corporation of India in these cases.

In these circumstances, a direction is issued to the assessing authority to finalize the assessment as early as possible by following due process of law. This would entail cooperation from both the

workmen and the Corporation to tender their documents speedily before the assessing authority on which they rely. The assessing authority would effectively hear both the Workers Unions and the Food Corporation of India and/or any other person/party connected with the dispute. The assessing authority will make an endeavour to conclude the proceedings within a reasonable time preferable within six months from the date when parties put in appearance. The assessing authority would communicate the date for appearance and issue notice to the respective parties. If FCI has engaged the workers through contractors the onus would be on them to produce contractors together with the entire original records and place them for consideration before the assessing authority. The workers would also disclose the names of contractors under whom they worked from time to time. This will help the FCI to locate the contractors. The assessing authority would verify the facts according to its protocol.

With these observations and directions, the writ petitions stand disposed of.

(RAJIV NARAIN RAINA)
JUDGE

13.11.2018

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*