

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

LPA No.1278 of 2018(O&M)

Date of decision: 21.08.2018

Punjab State Cooperative Supply & Marketing Federation Ltd.

... Appellant

Versus

Employees Provident Fund Appellate Tribunal and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mrs. Deepali Puri, Advocate for the appellant.

KRISHNA MURARI, C.J. (Oral)

When confronted with the observation with respect to the merits of the appeal in view of repeated opportunities in proceedings under Section 7A of the E.P.F. & M.R. Act the same was not availed by the appellant and it is settled law that in case the Contractor fails to deposit the contribution, the liability of the principal employer is not washed out and also the fact that payment of the EPF amount has already been recovered and disbursed, learned counsel for the appellant finding it difficult to assail the same sought leave of the Court to permit withdrawal of the appeal. Even otherwise, there is a delay of 132 days in filing and 120 days in re-filing the appeal. However, in view of the request made we hereby allow the same and the appeal stands dismissed as withdrawn.

**(Krishna Murari)
Chief Justice**

**(Arun Palli)
Judge**

21.08.2018

Rajan

Whether speaking / reasoned:

YES

Whether Reportable:

NO