

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Letters Patent Appeal No. 187 of 2018 (O&M) in
CWP No. 3051 of 2011
Date of decision: 5.2.2018

Sudarshan Weaving Factory

.. Appellant

v.

Presiding Officer and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. B. D. Sharma, Advocate for the appellant.

...

Rajesh Bindal J.

The order dated 5.12.2017 passed by the learned Single Judge, vide which though the orders passed by the authorities under the Employees Provident Funds and Miscellaneous Provisions Act, 1952 have been set aside and the matter has been remitted back to the Assistant Provident Fund Commissioner for re-assessment of the amount of provident fund and other charges due, but cost of ₹ 1,00,000/- has been imposed, has been impugned in the present intra-court appeal.

The reason therefor is that despite grant of 18 opportunities to the appellant to represent before the authorities for the purpose of proper assessment of provident fund dues, he did not avail of any of them. As a result, the order was passed, which was upheld upto the Employees' Provident Fund Appellate Tribunal, New Delhi. Merely a concession has

been given to the appellant to again produce the record before the authorities to get the dues assessed. There is no error in imposition of cost on a litigant, who does not respond to the notices and creates avoidable litigation.

Accordingly, the appeal is dismissed. Consequently, the application for condonation of delay is also dismissed.

(Rajesh Bindal)
Judge

(Anupinder Singh Grewal)
Judge

5.2.2018
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No