

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Order: May 21, 2018

+ **W.P.(C) 5495/2018 & CM No. 21398/2018**

SUBHASH CHAND Petitioner

Through: Ms. Minal Sehgal and Mr.
Prashant Sharma, Advocates

versus

THE DTE. GENERAL AIR INDIA & OTHERS Respondents

Through: Mr. Lalit Bhasin, Ms. Ratna
Dwivedi Dhingra and Ms. Bhavna
Dhami, Advocates
Mr. Devesh Singh, ASC (Civil),
GNCTD, for R-2 and 3.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

Against attachment order of 18th April, 2018 (Annexure P-3), petitioner claims to have made a Representation (Annexure P-2) to first respondent on 9th April, 2018. According to petitioner's counsel, there is no response to the Representation (Annexure P-2).

Learned counsel for petitioner relies upon Section 10 of *The Employees' Provident Funds & Miscellaneous Provisions Act, 1952*, to submit that provident fund of an employee cannot be attached.

In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition and the application with permission to file Representation against impugned Attachment Order (Annexure P-3) to

second respondent as well as to the first respondent within a week. If any such Representation is received by the respondents, then a speaking response thereto, be given within a period of four weeks and its fate be conveyed to petitioner within a week thereafter, so that petitioner may avail of the remedies as available in law, if need be.

Till it is so done, let the Attachment Order of 18th April, 2018 (Annexure P-3) be kept in abeyance.

With the aforesaid directions, this petition and the application are accordingly disposed of.

Copy of this order be given *dasti* to learned counsel for the parties.

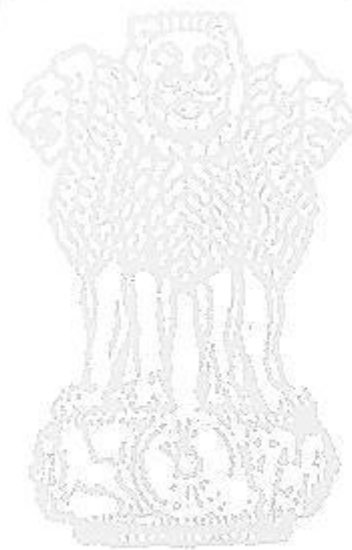
MAY 21, 2018

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(SUNIL GAUR)
JUDGE

भारतमेव जयते

HIGH COURT OF DELHI



सत्यमेव जयते