

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22781 of 2018

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Tarique Mohammad Mohsin, son of late Shahab Nasiruddin, resident of mohalla Mirdad, P.S.-Bihar, District-Nalanda, at present resided at flat no.303 Manna Surti Complex, West of Doctors Colony, P.S.-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The Regional Provident Fund Commissioner, Employees Provident Fund Organization, Regional Office, Bhavishyanidhi Bhawan, R. Block, Road No.6, Bihar, Patna.
2. The Recovery Officer, Employees Provident Fund Organization, Regional office, R.Block, Road No.6, Bihar, Patna.
3. The Enforcement Officer, Employees Provident Fund Organization, Regional Office, R.Block, Road No.6, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Adv.
For the Respondent/s : Mr. Rajoday Satyjeet, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Petitioner, in the present case, is challenging the letter no. BR/1575 RRC No.6496/2018/4609 dated 07.09.2018 issued by the Recovery Officer, Employees Provident Fund Organization by which he has forwarded a certificate for the recovery of an amount of Rs.2,86,634/- from the petitioner. Petitioner has also prayed for quashing the consequential letter no. BR/1575 RRC/6496/6220 dated 08.11.2018 by which the order of attachment of movable property in Certificate Case No.4393 of 2018 has been passed.

It is evident from the narration of the facts in the writ application that there is a certificate of recovery against the



petitioner. The petitioner has not challenged the basic order by which the certificate has been issued against the petitioner. The recovery proceeding has been undertaken consequent upon the issuance of the said certificate. Learned counsel for the petitioner is aware that there is a provision of appeal against the basic order as well as the order passed by the Recovery Officer, if any, under the provisions of the Act.

In the aforesaid view of the matter, this Court does not find any reason to entertain the present writ application. The petitioner, if so aggrieved, will have liberty to move an appropriate forum in appeal or under any provisions of the Statute which may be considered by the authority concerned in accordance with law.

If any application for condonation of delay is filed before the authorities, the same shall be considered in accordance with law.

This writ application is disposed off with the liberty aforesaid.

(Rajeev Ranjan Prasad, J)

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