

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION Nos. 28195, 26755 and 28214 of 2019**

**COMMON ORDER:**

As the subject matter of these three Writ Petitions is one and the same, they are being disposed of by this common order.

In all these three Writ Petitions, petitioners challenge the notices issued to them under the provisions of the Employees' Provident Fund & Miscellaneous Provisions Act, 1952 (for short 'the Act').

Learned counsel for the petitioners submits that the petitioners have already submitted their objections and have brought to the notice of the respondent authorities that they are not covered under the provisions of the Act and that the respondents have issued impugned notices to the petitioners without determining the question as to whether they are covered under the provisions of the Act.

Learned Standing Counsel for Employees Provident Fund Organization appearing for the respondents while denying the allegations of the petitioners, submits that the impugned notices

may be set aside and the respondents may be directed to consider the objections of the petitioners.

In those circumstances, these Writ Petitions are allowed by setting aside the impugned notices issued to the petitioners with respect to attending to the enquiry initiated under the provisions of the Act and for production of documents. It is made clear that the respondents shall proceed with the matter afresh and decide the same in accordance with law, after giving an opportunity of hearing to the petitioners. However, it is open for the petitioners to seek information, if any required, from the respondents and submit objections, if any, if they so desire.

Miscellaneous Petitions, if any pending, shall stand disposed of. There shall be no order as to costs.

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**CHALLA KODANDA RAM, J**

19<sup>th</sup> DECEMBER, 2019.

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