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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20592 of 2019

Date of decision: 04.09.2019

The National Co-operative L & C Society Ltd. and others

...Petitioners

Versus

State of Punjab and others

...Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Amit Kumar Walia, Advocate for the petitioners.

B.S. WALIA, J. (Oral)

1. Prayer in the writ petition is for the issuance of a writ in the nature of Certiorari for quashing notices Annexure P/2 (colly) dated 24.04.2019, vide which respondent No.3 has called upon the petitioners to deposit the amounts as mentioned in the notices on account of recovery under the EPF (Employees' Provident Funds), Miscellaneous Provisions Act, 1952 and the Punjab Municipal Council Act, 1911 (wrongly written as 'the Punjab Municipal Corporation Act, 1976'), allegedly payable by the petitioners from payment for work done during the period April, 2012 to March, 2016.

2. Notice of motion. Mr. Amit Kaundal, DAG, Punjab, accepts notice on behalf of respondent Nos.1 and 2 and Mr. G.S. Attariwala, Advocate accepts notice on behalf of respondent No.3. Copy of the writ petition handed over to learned counsel for the respondents.

3. Learned counsel for the respondents state that therefore, in the circumstances, no objections have been filed by the petitioners to the impugned notices issued by respondent No.3, it would be appropriate if the petitioners first file objections to the notices and only in case the objections are rejected that the petitioners should invoke the jurisdiction of this Court.

4. Faced with the aforementioned position, learned counsel for the petitioners prays for permission to withdraw the writ petition at this stage with liberty to file objections to the impugned notices Annexure P/2 (colly) dated 24.04.2019 with a prayer that the respondents be directed to consider and decide the same on receipt within a stipulated period of time and till such time that decision is taken, protection be granted to the petitioners.

5. Learned counsel for the respondents fairly do not oppose the prayer of the petitioners.

6. In view of the position as noted above and statement of learned counsel for the parties, the writ petition is permitted to be withdrawn with liberty to the petitioners to file objections to notices Annexure P/2 (colly) dated 24.04.2019 before the respondents within 10 days from today. In case of receipt of objections in the time as indicated above, respondents would take a decision in respect thereto within four weeks thereafter. In case objections are filed within the time allowed, then till such time that decision is taken on the objections, no coercive steps shall be taken against the petitioners. Needless to mention in case a decision is taken contrary to the interest

of the petitioners, they would be at liberty to challenge the same in accordance with law.

7. Writ petition disposed of in the aforementioned terms.

(B.S. WALIA)
JUDGE

04.09.2019
rajesh.k.khurana

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| 1. Whether speaking/reasoned | : | Yes/No. |
| 2. Whether reportable | : | Yes/No. |