

CWP-3692-2015

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-3692-2015

Date of Decision: 12th September, 2019

M/s Sanya Hospitality Pvt. Ltd.

...Petitioner

Versus

Employees Provident Fund Organization & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Puneet Saini, Advocate,
Mr. Hoshiar Singh, Advocate and
Mr. Kapil Hans, Advocate
for the petitioner.

Mr. Sanjay Tangri, Advocate
for respondents No.1 and 2.

Ms. Bhupinder Kaur, Advocate for
Mr. Kapil Kakkar, Advocate
for respondent No.3.

AUGUSTINE GEORGE MASI, J. (ORAL)

An objection has been raised by the learned counsel for respondents No. 2 and 3 that against the impugned order dated 17.10.2014 (Annexure P-1), a statutory appeal has been provided under Section 7-I of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

Learned counsel for the petitioner states that at that relevant time when the impugned order was passed and till the filing the present writ petition, there was no Presiding Officer of the Appellate Authority, because of which, petitioner was forced to file the writ petition in this Court.

This fact of there being no Presiding Officer of the Appellate

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Authority as recorded above, is not disputed by the counsel for the respondents.

Counsel for the parties are *ad idem* that as of now, Appellate Authority is in office.

In view of the above, counsel for the petitioner prays for withdrawal of the present writ petition with liberty to avail of his remedy of statutory appeal before the Appellate Authority. In case the petitioner files the appeal within a period of 15 days from today, the same shall be adjudicated upon by the Appellate Authority on merits.

Disposed of as withdrawn with liberty aforesaid and direction.

Copy of this order be given **dasti** to the counsel for the petitioner under the signatures of the Bench Secretary of this Court.

12th September, 2019
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No