

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

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CWP No.27146 of 2019 (O&M)

Date of Decision : 14.10.2019

Satbir Kumar

....Petitioner

v/s

Employee Provident Fund Organization and others

....Respondents

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

Present: Mr. Rishabh Bajaj, Advocate for Mr. Anurag Chopra, Advocate for the petitioner.

Mr. Sumeet Goel, Advocate *with* Mr. Rajesh Hooda, Advocate & Mr. A.K. Ranolia, Advocate for respondent No.1.

Mr. Sumit Dhanda, Advocate for Mr. Deepak Manchanda, Advocate for respondent No.2.

Mr. K.K. Gupta, Advocate for respondent No.3.

B.S. Walia, J. (Oral)**CM-14589-2019*****Allowed***, as prayed for.

Annexures P-7 & P-8 are taken on record.

CWP No.27146 of 2019

[1] On issuance of notice of motion on 30.09.2019, Mr. J.S. Lalli, Advocate had accepted notice on behalf of respondent No.1, while Mr. Deepak Manchanda, Advocate had accepted notice on behalf of respondent No.2 and Mr. K.K. Gupta, Advocate had accepted notice on behalf of respondent No.3.

[2] Process fee has not been filed for issuance of notice to respondent No.4. However, in view of the orders proposed to be passed, I do not deem it necessary to adjourn the case for service of respondent No.4.

[3] Grievance of the petitioner is *qua* in action of respondent Nos.1 to 3 to investigate and enquire into the willful default committed by respondent No.4 in movement of foodgrains on behalf of respondent Nos.2 & 3. On 30.09.2019, learned counsel for respondent No.3 had stated that respondent No.3 had already written to respondent Nos.1 & 2 to supply information to enable respondent No.3 to take a decision *qua* the claim of the petitioner but no reply had been received, therefore, respondent No.3 was unable to take a decision on the claim of the petitioner. It was further stated that in case directions were issued to respondent Nos.1 & 2 to co-operate with respondent No.3 and to supply information sought for, respondent No.3 would take a decision on the claim of the petitioner within such time as was granted by the Court.

[4] Mr. Sumeet Goel, Advocate with Mr. A.K. Ranolia, Advocate and Mr. Rajesh Hooda, Advocate, appearing on behalf of Regional Office, Employees Provident Fund Organization, Rohtak and Karnal respectively state that the information sought for by respondent No.3 would be furnished by the Employee Provident Fund Organization Authorities, Karnal within one week from today.

[5] Learned counsel for respondent No.1 further states that they have also issued notice to respondent No.4 for proceeding under Section 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 for 31.10.2019.

In the light of the position as noted above, the writ petition is ***disposed of*** by directing respondent No.1 to furnish the information required by respondent No.3 within one week from today and for respondent Nos.2 & 3

to consider and decide the claim of the petitioner in accordance with law.

Needless to mention, any proceedings conducted by respondent Nos.1 to 3 would be strictly in accordance with law and after complying with the principles of natural justice.

[6] Copy of this order be transmitted to respondent No.4 also.

October 14, 2019
'Rajneesh'

(B.S. Walia)
Judge

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No