

\$~2

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 1268/2019 and CRL.M.A. 9360/2019**

DELHI TRANSPORT CORPORATION & ORS Petitioners

Through: Mr Manish Vashisht, SC for DTC and
Mr Urvi Kapoor, Advocate.

versus

THE REGIONAL PROVIDENT FUND COMMISSIONER

THROUGH ITS PROVIDENT FUND INSPECTOR..... Respondent

Through: Mr Puneet Garg, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **19.11.2019**

1. The petitioners have filed the present petition, *inter alia*, praying that the complaint bearing no. CC 15337/2018 and the summoning order dated 22.12.2018 passed by the learned CMM in the case titled '*The RPFC v. M/s DTC and Anr.*' be quashed.
2. Admittedly, the petitioner has an equally efficacious alternate remedy of filing a revision against the said order. However, the learned counsel appearing for the petitioner states that the complaint is without jurisdiction as the Employees' Provident Fund Scheme, 1952 is not applicable to the petitioner. He states that the petitioners are exempt from the said Scheme and also from the purview of the Employees' Provident Fund and Miscellaneous Provident Act, 1952.
3. It is pointed out that there are no pleadings in the petition to support the said contention.
4. In view of the above, this Court does not consider it apposite to

entertain the present petition and the same is disposed of leaving it open for the petitioner to avail of its alternate remedies.

5. The pending application is also disposed of.

NOVEMBER 19, 2019
RK

VIBHU BAKHRU, J