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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2020

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

W.P.No.5589 of 2020
and W.M.P.No.6541 of 2020

M/s.Avalon Technologies (P) Ltd.,
No.52-53, SDF-II, MEPZ, Tambaram,
Chennai - 600 045.
Rep. by its Vice President -Finance. ... Petitioner

Vs.

The Regional Provident Fund Commissioner -I,
Employees' Provident Fund Organisation,
Regional Office,
3, Rajaji Salai, Tambaram,
Chennai - 600 045. ... Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondent from initiating any recovery proceedings pursuant to the order dated 31.12.2019 passed under Section 7A of EPF Act in No.TB/TAM/ENF/CC-I/T-8/60046/7A Proceedings/2019, until order are passed in the stay application filed by the petitioner in EPFA 19/2020 before the Central Government Industrial Tribunal-cum-Labour Court, Chennai.

For Petitioner : Mr.Anand
for M/s.T.S.Gopalan and Co.,

For Respondent : Mr.K.Ramu

O R D E R

The present Writ Petition has been filed for issuance of a Writ of Mandamus forbearing the respondent from initiating any recovery proceedings pursuant to the order dated 31.12.2019 passed under Section 7A of EPF Act in No.TB/TAM/ENF/CC-I/T-8/60046/7A Proceedings/2019, until orders are passed in the stay application filed by the petitioner in EPFA No.19 of 2020 before the Central Government Industrial Tribunal-cum-Labour Court, Chennai.



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2. The learned counsel for the petitioner submits that his Appeal has been numbered as EPFA No.19 of 2020 and when the matter came up for hearing on 24.03.2020, due to Covid-19, it has not been heard.

3. The learned counsel for the respondent states that they have not initiated any recovery action.

4. Recording the statements made by the learned counsel appearing on both sides, a direction is issued to the respondent not to precipitate the recovery action till the disposal of the stay application pending before the Appellate Tribunal in EPFA No. 19 of 2020

With the above observation, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Regional Provident Fund Commissioner -I,
Employees' Provident Fund Organisation,
Regional Office,
3, Rajaji Salai, Tambaram,
Chennai - 600 045.

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VGII (CO)
RMP (03/06/2020)