

Court No. 22

07.01.2021

(DL 19)

(S. Banerjee)

WPA 11439 of 2020

with

CAN 1 of 2020

Ripley & Company Limited & Anr.

Vs.

Regional Provident Fund Commissioner-II, Employees'
Provident Fund Organisation & Ors.

Ms. Sudeshna Bagchi

... for the petitioners

Mr. Shiv Chandra Prasad

... for the Provident Fund authorities

The petitioners submit that as the appellate tribunal is not functioning in respect of an appeal under Order 7A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952, he has filed this writ application.

Learned advocate for the respondent EPF authorities has submitted that it is true that there is no presiding officer but the appeals are being accepted by the tribunal.

In the circumstances I direct the petitioners to file this writ application by making necessary changes as an appeal complying with all provisions of law for preferring appeal before the appellate tribunal and till this matter is heard by the tribunal, no coercive action by the Provident Fund authorities can be taken against the petitioners.

With the above order this writ application is disposed of.

With the disposal of the main writ application, the connected application being CAN 1 of 2020 is also disposed of.

(Abhijit Gangopadhyay, J.)