

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CWP-11760-2021
CWP-11762-2021 and
CWP-11765-2021
Date of decision: 06.08.2021

Bharat Sanchar Nigam Ltd., Civil Division II, Chandigarh

.....Petitioner

versus

Union of India and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Arvind Rajotia, Advocate
for the petitioner(s).

(the aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court on account of restrictions due to COVID 19)

GIRISH AGNIHOTRI, J. (Oral)

This order shall dispose of three writ petitions i.e. CWP Nos.11760, 11762 & 11765 of 2021. For the sake of brevity, CWP-11760-2021 will be the lead case.

On 05.07.2021, this Court, while issuing notice of motion, had passed the following order:-

“Petitioner-Bharat Sanchar Nigam Ltd. Civil Division II, Chandigarh through Ravinder Singh Viridi AGM, stated to be aged 49 years, has filed the present petition inter alia with a prayer for quashing the impugned recovery notice dated 18.06.2021 (Annexure P-1) passed by the respondent No.3, vide which, the respondent No.3 had directed to the petitioner to deposit the provident fund

amount within 15 days and along with further relief as mentioned in the petition.

Learned counsel for the petitioner submits that the petitioner had filed an appeal before the Appellate Authority/Labour Court and had also deposited 25% of the amount ordered in the order challenged in the appeal. Learned counsel for the petitioner submits that because of unavoidable reasons and the fact that the counsel for the petitioner herein had suffered infection-COVID-19, he could not appear on the date fixed by the Appellate Authority. In such circumstances, the appeal was dismissed on 07.04.2021. On 08.05.2021, the petitioner moved an application for restoration in which notice has been issued for 06.07.2021.

Learned counsel for the petitioner submits that during the pendency of the said appeal/restoration application, the action of the respondents is unfair in issuing impugned notice dated 18.06.2021 (Annexure P-1), or such other dates in the connected matters, vide which petitioner has been directed to deposit the amount within 15 days. He submits that till the decision of the appeal/restoration application, the demand notice be stayed.

Notice of motion.

Till the next date of hearing, the direction in the impugned notices to the petitioner to deposit the amount, shall remain stay.

Adjourned to 06.08.2021.”

On the resumed hearing of the case, learned counsel for the petitioner makes a statement that during pendency of the present case, the Labour Court has allowed the application and restored the appeals. He

therefore submits that no further orders are called for in the present petition.

In view of the above, the writ petitions are disposed of as having become infructuous.

(GIRISH AGNIHOTRI)
JUDGE

06.08.2021

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