

S/L 86
14.11.2022
Court No.652
SD

CO 441 of 2021

Chittaranjan Locomotive Works
Vs.
Assistant P.F. Commissioner & Assessing Authority & Anr.

Mr. Pulokesh Bajpai
Mr. K.P. Chatterjee
Mr. Aveek Biswas

...for the Petitioner.

Mr. Shiv Chandra Prasad

...for the Opposite Parties.

Affidavit-in-opposition filed by the opposite party in Court today be kept with the record.

Being aggrieved and dissatisfied with the order no. ENF /RD /DGP /WB /5868o /7Aorder /CC-II /9377H dated 19.10.2020 passed in Diary No.01/2013 and consequent attachment / garnishment Order No. EWF /RO /DCP /WB /5868o /CC-II /9608 dated 18.01.2021 by Assistant P.F. Commissioner and Assessing Authority EPFO, Durgapur, the present revisional application has been preferred.

Being aggrieved by the selfsame order, the present petitioner preferred an appeal under Section 7(i) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 before the Appellate Tribunal on 22.01.2021 being EPF Appeal No.01 of 2021. Since the Tribunal was not functioning at that point of time, due to want of Coram, the petitioner had no other alternative but to prefer this application before this court. It is submitted now the said appellate tribunal is functioning. Accordingly, a direction

may be given to the Tribunal for disposal of the said appeal within a time bound schedule.

In view of the aforesaid submissions made by the parties, the revisional application being CO 441 of 2021 is hereby disposed of with a direction upon the appellate tribunal to make every endeavour to dispose of the said appeal being EPF Appeal No.01 of 2021 preferably within a period of six months from the date of communication of the order.

The interim order granted by this court stands vacated in view of the disposal of the revisional application.

Since I have not gone into the merit of the case, all the points shall be kept open before the appellate tribunal for disposal.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Ajoy Kumar Mukherjee, J.)