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jdt.

16.08.2022
jb.

W.P.A. 17789 of 2022
(Smt. Sadhana Sen vs. Union of India & Ors.)

Mr. Bikash Shaw
.... For the Petitioner
Mr. Mritunjay Kr. Pandey
Mr. H. R. Singh
.... For the Union of India
Ms. Debjani Ghoshal
.... For the Respondent No. 3

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsels for the parties.

The order under Section 7A (1) (a) of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 was passed by the Assistant Provident Fund Commissioner and the Assessing Officer on 12th August, 2016. The petitioner filed an application for review of the said order on 19th September, 2016 which is still pending before the authority. The innocuous prayer of the petitioner is for direction upon the authority for expeditious disposal of the said review application by the authority.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the review application filed by the petitioner dated 19th September, 2016 as expeditiously as the business of the office would permit, preferably within a period of two months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law. It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place her contention before the authority at the time of hearing.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)