

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.245 of 2014

Bharat Integrated Social Welfare Agency (BISWA) ***Appellant***

Mr. K.K. Jena, Advocate

-versus-

The Regional Provident Fund Commissioner, Employee Provident Fund Organization, Rourkela and another ***Respondents***

Mr. S.S. Mohanty, Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
19.09.2022**

Order No.

07. 1. The impugned order required the Petitioner to file an appeal against an order of the Regional Provident Fund Commissioner in exercise of the power under Section 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (the Act).
2. Although Mr. Jena, learned counsel appearing for the Appellant seeks to argue that no appeal is maintainable against an order passed under Section 7B of the Act, the Court finds that there is an express reference in Section 7-I of the Act to an order under Section 7B of the Act being appealable. The exception is where the impugned order has been passed rejecting an application for review referred to Section in 7-B (5) of the Act. The impugned order is obviously not such an order and therefore, the Court rejects the plea of Mr. Jena that no appeal is maintainable against the order in

challenge in the writ petition. The learned Single has already granted the Appellant seven days time to file an appeal. Accordingly, the Appellant is permitted to now file the appeal within two weeks from today.

3. The writ appeal is disposed of in the above terms.

4. Issue urgent certified copy of this order as per rules.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

S.K. Guin

