

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.94 of 2016

Baikuntha Nath Nayak

....

Appellant

M/s. P.C. Sethi, Advocate and associates

-versus-

***The Assistant Provident Fund
Commissioner, Bhubaneswar and
others***

....

Respondents

Mr. Aurovinda Mohanty, C.G.C.

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

ORDER

29.09.2022

Order No.

- 02.
1. The Court has perused the impugned order dated 8th February 2016 of the learned Single Judge whereby it has been observed that the Appellant has the remedy by way of an appeal under the EPF and MP Act. It will be open to the Appellant in the said appeal to contend that the original order was passed without jurisdiction.
 2. Consequently, the impugned order of the learned Single Judge suffers from no legal infirmity. The writ appeal is dismissed.
 3. However, if the appeal is filed not later than 1st November 2022, accompanied by an application for condonation of delay explaining the delay on the ground of pendency of the present writ appeal and the writ petition earlier to that, it will be consider on its merit by the appellate authority.
 4. Issue urgent certified copy of this order as per rules.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge