

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24735 of 2022

***Odisha Power Employees Union,
Khurda.***

....

Petitioner

Ms.Bikash Jena, Advocate

-versus-

***The RPF Commissioner, EPFO,
Bhubaneswar & others***

....

Opposite Parties

Mr.Aurobinda Mohanty, Advocate

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

14.11.2022

Order No.

03.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard Mr.Bikash Jena, learned counsel for the Petitioner and Mr.Aurobinda Mohnty, learned counsel appearing for Opposite Parties-Provident Fund Commissioner.
3. The present writ application has been filed with the following prayer:

“It is, therefore, prayed that in the facts and circumstances stated above and in the interest of justice, this Hon’ble Court may be graciously pleased to pass appropriate writ(s)/direction(s);

- i) Directing the Opp.Party Nos.1 & 2 to take necessary action and initiate appropriate proceeding under the provisions of the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952 to recover the pending contribution amount for the period from June, 2017 to June, 2019 with interest and damage from the Opp.Party No.3 within such time as may be stipulated by this Hon’ble Court.
- ii) Grant such other relief(s) as this Hon’ble Court may

deem fit and proper.

4. It is submitted by the learned counsel for the Petitioner that the sole grievance in the writ application is that the authorities are not deducting the contribution amount since 2017. In such view of the matter the Petitioner has approached this Court to deduct the employees share of the P.F. dues. Further, the learned counsel for the Petitioner submits that he received instruction that the Provident Fund Authority has already initiated a proceeding under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the same is stated to be pending before the authority in Diary No. 108 of 2021.

5. Mr. Aurobinda Mohaty, learned counsel appearing for the Provident Fund Commissioner submits that the matter can be disposed of directing the authority to expedite the proceeding and dispose of within a stipulated period of time.

6. Considering such submissions, this Court disposes of the writ application directing the competent authority to expedite the 7-A proceeding bearing Diary No. 108 of 2021 and take all endeavours to conclude the same within a period of six months from the date of production of certified copy of this order. The Petitioner is directed to produce the certified copy of this order before the concerned authority for early disposal of the case.

7. With the aforesaid observation the writ application stands disposed.

8. Issue urgent certified copy of this order as per Rules.