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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 10468/2022

LAKHBIR SINGH AND ORS.

..... Petitioners

Through: Ms. Manasi Bhushan, Advocate.

versus

**EMPLOYEES PROVIDENT FUND ORGANISATION, CENTRAL
DELHI**

..... Respondent

Through: Mr. Rajesh Kumar with
Ms. Santwana, Advocates.

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Date of Decision: 12th July, 2022

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

The present writ petition has been filed with the following prayers:

- “A. Pass an order issuing appropriate writ/order/direction directing Respondent to dispose of the complaints i.e. 1) Aasif Khan Vs. Oberoi Hotel and Ors., 2) Govind Singh Vs. Oberoi Hotel and Ors., 3) Kunwar Pal Vs. Oberoi Hotel and Ors., 4) Lakhbir Singh Vs. Oberoi Hotel and Ors. filed by the petitioner within four weeks from the date of the order of this Hon’ble Court.*
- B. Award costs in favour of the petitioners and against the respondent for respondent’s negligent conduct;”*



Learned counsel for the petitioner submits that the complaint dated 30th March, 2021 has yet not been disposed of by the respondent.

Learned counsel submits that despite there being regular follow ups and e-mails being sent, the department had not taken any action up until a communication was received on 8th July, 2022 that they have conducted the inspection.

Learned counsel for the petitioner further submits that EPFO is required to conduct an inquiry in accordance with the Circular No.C-I/3(19)2016/Clarification/ECR dated 21.12.2017 issued by EPFO.

Issue notice.

Sh. Rajesh Kumar, learned standing counsel accepts notice on behalf of the respondent.

Learned standing counsel submits that in fact in pursuant to the certain judgments passed by this Court in ***Food Corporation Of India v. Provident Fund Commissioner*** 1990 (1) SCC 68 and ***Central Board of Trustee V. M/s Era Infra Engineerings Ltd*** in W.P. (C) 4083/2015 dated 31st May, 2022, the department is bound to issue notice to all the concerned persons and conduct a detailed inquiry/inspection.

Learned counsel submits that the proceedings to be conducted by the department are quasi judicial in nature and thus it takes time to complete the same. It has further been submitted that EPFO is duty bound to conduct an inquiry in accordance with law on the peculiar facts and circumstances.



Learned standing counsel undertakes that the present complaints shall be disposed of by 31st December, 2022.

The abovesaid undertaking is taken on record and the department is held bound by the same.

With these observations, the writ petition stands disposed of.

JULY 12, 2022
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DINESH KUMAR SHARMA, J

