

28.08.2023
Item No.2
Court No.550
Saswata

W.P.A. 8066 of 2019
The Life Insurance Corporation of India & Anr.
-vs-
Employees Provident Fund Organization & Ors.

Ms. Kakali Samajpaty
Ms. Sangita Jangra

...For the petitioners

Ms. Aparna Banerjee

...For the respondents

1. Challenging, inter alia, an order passed under Section 8F(3)(4) of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (hereinafter referred to as the “said Act”) seeking recovery of a sum of Rs.47,63,723/-, the aforesaid writ application had been filed.
2. This Court, by order dated 18th April 2019 while noticing that the petitioners had preferred an appeal within the meaning of Section 7I of the said Act challenging the orders passed under Sections 7A and 7B of the said Act, had restrained the respondents from taking any steps for recovery of the aforesaid sum of Rs.47,63,723/- from the petitioners till the disposal of the appeal being Appeal no. 2 of 2019.
3. Ms. Samajpaty, learned advocate appearing for the petitioner submits that by order dated 4th May 2023, the Appellate Authority has been pleased to dispose of the said appeal. By drawing attention of

this Court to an order dated 13th July 2023 passed in WPA 13665 of 2023, she submits that the petitioners have since challenged the aforesaid order dated 4th May 2023 and this Court has passed a conditional order restraining the respondents from taking any coercive steps against the petitioners. She submits that the petitioners have since complied with the conditions as provided in the order dated 13th July 2023. Having regard to the same, it is submitted that the present writ application has become infructuous.

4. Ms. Banerjee, learned advocate appearing for the respondents confirms the factum of disposal of the appeal under Section 71 of the said Act by order dated 4th May 2023.
5. Having regard to the aforesaid, since nothing survives in the aforesaid writ application, the writ application being WPA 8066 of 2019 is accordingly dismissed as infructuous.

(Raja Basu Chowdhury, J.)