

27.09.2023
Item No.36
Court No.550
Saswata

W.P.A. 21772 of 2023
Aniruddha Banerjee
Versus
Assistant Provident Fund Commissioner & Ors.

Mr. Boudhayan Bhattacharyya
Ms. Suti Bansal

... For the petitioner

Mr. Avijit Tewary

...For the respondent nos. 1 and 2

1. The present writ application has been filed, inter alia, praying for a direction upon the respondents to grant installment facilities to the petitioner in respect of the determination made under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.
2. After hearing the submissions of the learned advocates appearing for the parties this Court, to test out the bonafide of the petitioner, had directed the petitioner to place before this Court, a cheque amounting to Rs.5,00,000/- drawn in the name of the Regional Provident Fund Commissioner, Regional Office, Park Street, when the matter is taken up next.
3. It would be relevant to place on record that a sum of Rs.1,49,89,347/- is due and payable by the petitioner.
4. Today, Mr. Bhattacharyya, learned advocate appearing for the petitioner places before this Court an undated cheque. Since, the said cheque is unacceptable by reasons of the same being undated, the same is returned to the petitioner's advocate.
5. The aforesaid conduct on the part of the petitioner is not appreciated. In view thereof, since the petitioner could not pass the test to establish his bonafide, the writ

application being WPA 21772 of 2023 is ***dismissed*** without any order as to costs.

6. All parties shall act on the basis of the server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)