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*W.A. Nos. 1736, 1737, 1738, 1740, 1744, 1745,
1746, 1749, 1752 & 1756 of 2023*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2023

CORAM

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.A. Nos. 1736, 1737, 1738, 1740, 1744, 1745,

1746, 1749, 1752 & 1756 of 2023

&

C.M.P. Nos.15350, 15356, 15371, 15372, 15373, 15377, 15381, 15383,

15423 & 15477 of 2023

W.A. No. 1736 of 2023

The Assistant Provident Fund Commissioner,
Employees' Provident Fund Organization,
Bhavishya Nidhi Bhawan,
Dr. Balasundaram Road,
Coimbatore 641 018.

..Appellant

Vs.

1. Employees Provident Fund Appellate
Tribunal,
Scope Minar, 4th Floor

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(Ministry of Labour & Employment,
Govt. of India),
Core -2, Laxmi Nagar,
New Delhi 110 092.

2. M/s. Silver Cloud Coffee Estate,
rep.by its Manager,
Gudalur, The Nilgiris 643 211.

..Respondents

Prayer in W.A. No. 1736 of 2023: Writ Appeal as against the order dated
21.06.2011 passed in W.P. No. 22806 of 2020.

For Appellant in
W.A.No.1736 of 2023 :: Ms.R. Meenakshi

COMMON JUDGMENT

(Delivered by S. Vaidyanathan,J.)

The instant intra court appeals are directed against the order dated
21.06.2011 passed in W.P. Nos. 22806, 21143, 22082, 22083, 21142,
17518, 17520, 21137, 22096 & 22084 of 2010 respectively.

2. The appellant herein, namely, the Assistant Provident Fund
Commissioner, Coimbatore, had filed the aforesaid writ petitions
challenging the various orders passed by the Employees Provident Fund
Appellate Tribunal reducing the quantum of damages payable by the



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respective employer in the appeals preferred by the respective employer as against the levy of damages imposed on account of delayed remittance of PF dues. The learned Single Judge, by a detailed order, citing various judgments of the Hon'ble Apex Court and various other High Courts and after consideration of the submissions made on behalf of the parties, dismissed the aforesaid writ petitions.

3. When the writ appeals are taken up today, it is submitted by the learned counsel for the appellant that the matters are squarely covered by the judgment of this Court dated 27.06.2023 passed in W.A. No. 1382 of 2014, wherein the powers of the Tribunal to reduce the quantum of damages payable by the employer was dealt with while disposing of the writ appeal.

4. In view of the above submission made by the learned counsel for the appellant, these writ appeals are also disposed of on the same lines. No costs. Connected miscellaneous petitions are closed.

(S.V.N.J.) (K.R.S.J.)
21.08.2023

nv

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S. VAIDYANATHAN,J.

AND

K. RAJASEKAR,J.

To

The Assistant Provident Fund Commissioner,
Employees' Provident Fund Organization,
Bhavishya Nidhi Bhawan,
Dr. Balasundaram Road,
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