



W.P(MD)No.21597 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.09.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD).No.21597 of 2023 and
WMP(MD).No.18014 of 2023

B.Sundari

...Petitioner

Vs.

1.The Presiding Officer,
The Central Government Industrial
Tribunal-Cum-Labour Court,
Chennai.
Tamil Nadu.

2.The Assistant Provident Fund Commissioner,
EPF Organisation,
Sub-Regional Office,
NGO "B" Colony,
Tirunelveli District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned conditional stay order of the 1st respondent in EPFA No.90 of 2021, dated 20.07.2023 and quash the same with a consequential direction directing the 1st respondent to waive the conditional deposit and proceed with the EPFA No.90 of 2021.



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For Petitioner : Mr.K. Porkodi

For respondent No.2 : M/s. Mahaboob Athiff

Standing Counsel

ORDER

This Writ Petition has been filed to call for the records pertaining to the impugned conditional stay order of the 1st respondent in EPFA No.90 of 2021, dated 20.07.2023 and quash the same with a consequential direction directing the 1st respondent to waive the conditional deposit and proceed with the EPFA No.90 of 2021.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner would submit that the petitioner may be permitted to deposit 40% of the dues of Rs.44,74,905/- determined in impugned order before the Tribunal.

3. Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the respondents.

4. Considering the submission made by the learned counsel



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appearing on either side, this Court hereby directs the petitioner to pay 20% of the dues by 05.10.2023 and the remaining 20% on 05.11.2023. On payment of the same, the first respondent / Tribunal is directed to dispose of EPFA.No.90 of 2021 pending on its file within a period of six months. Till the payment of second installment, the impugned order passed by the Tribunal in the EPFA.No.90 of 2021 is stayed.

5. With the above observation, this Writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

05.09.2023

Index : Yes / No
Internet : Yes/ No
trp



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L.VICTORIA GOWRI, J.,

trp

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