

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 22982 OF 2014

Between:

The Regional Provident Fund Commissioner-I, Office of the Employees Provident Fund Organisation, Regional office, 3-4-763, Bahvishyanidhi Bhavan, Barkatpura, Hyderabad -500 027.

.....PETITIONER

AND

1. Employees Provident Fund Appellate Tribunal, 4th Floor, Core-2, SCOPE Minar, Lakshminagar, Delhi-110 092, Rep. by its Registrar.
2. M/s Rangaraya Construction Ltd., 7th Floor, Raghavaratna Towers, Chirag Ali Lane, Abids, Hyderabad.

.....RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ, or Order, or Direction especially in the nature of Writ of Certiorari calling for the records relating to the order dated 13-6-2014 passed in Appeal ATA No.477(1)2014 and quash the same as illegal and unjust in so far as it is against the petitioner and in consequence direct the 2nd respondent to deposit 75% of the dues as assessed through order dated 3-4-2014 u/s 7 A of the Act.

I.A.NO:1 OF 2014 (WPMP.NO:28806 OF 2014)

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent to deposit 75% of the dues assessed through order dated 3-4-2014 u/s 7 A of the Act.

Counsel for the Petitioner : SRI R.N.REDDY

Counsel for the Respondents : M/s K.UDAYA SRI

The Court made the following ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.22982 of 2014

ORDER:

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The petitioner approached this Court seeking the relief as under:

"issue Writ or Order, or Direction especially in the nature of Writ of Certiorari calling for the records relating to the order dated 13.6.2014 passed in Appeal ATA No. 477(1)2014 and quash the same as illegal and unjust in so far as it is against the petitioner and in consequence direct the 2nd respondent to deposit 75% of the dues as assessed through order dated 3.4.2014 u/s 7 A of the Act and pass such other order or orders as this Hon'ble Court deems just and necessary in the circumstances of the case."

3. Learned counsel appearing on behalf of respondents brings on record the proceeding, dated 20.11.2014 passed in ATA.No.477(1) of 2014 on the file of Employees Provident Fund Appellate Tribunal, New Delhi and submits that the appeal itself had been disposed finally on 20.11.2014 and therefore, the present writ petition seeking the present relief has become infructuous.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner may be permitted to amend the

prayer. This Court opines that the petitioner is at liberty to file a fresh Writ Petition challenging the final order, dated 20.11.2014 passed in ATA.No.477(1) of 2014 duly explaining the reasons for the delay in approaching the Court against the final order, dated 20.11.2014 passed in ATA.No.477(1) of 2014.

5. With these observations, this Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

SD/- P.PADMANABHA REDDY
ASSISTANT REGISTRAR

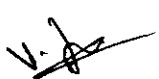
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SECTION OFFICER

To

1. The Registrar, Employees Provident Fund Appellate Tribunal, 4th Floor, Core-2, SCOPE Minar, Lakshminagar, Delhi-110 092.
2. M/s Rangaraya Construction Ltd., 7th Floor, Raghavaratna Towers, Chirag Ali Lane, Abids, Hyderabad.
3. One CC to Sri R.N.Reddy, Advocate [OPUC]
4. One CC to M/s K.Udaya Sri, Advocate [OPUC]
5. Two CD Copies

SA
GJ



HIGH COURT

DATED:12/12/2023

ORDER

WP.No.22982 of 2014



**DISPOSING OF THE W.P
WITHOUT COSTS**

⑧ vlv
2/1/24