

2023:PHHC:048118

**143 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-6678-2023

Date of decision : 10.04.2023

**Central Board of Trustees, Employees' Provident
Fund Organization and another**

...Petitioners

Vs.

Dalvinder Kaur Ryait and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Hooda, Advocate
for the petitioners.

MANOJ BAJAJ, J.

Petitioners have filed this writ petition under Article 226 Constitution of India for issuance of a writ in the nature of certiorari for quashing the *ex parte* order dated 27.02.2023 (Annexure P-14) passed by respondent No.4, whereby in an appeal filed by respondents No. 1 and 2 against the order dated 24.01.2023, petitioner has been directed to refund the amount of Rs.18,42,411/- which was recovered from the saving accounts and FDRs of the respondents.

Learned counsel for the petitioners submits that the impugned order passed by the appellate authority is illegal as the prohibitory order dated 24.01.2023 challenged in the appeal is not appealable.

During the course of hearing, it is not disputed by Mr. Rajesh Hooda, learned counsel for the petitioner that the appeal is pending adjudication which is now fixed for 17.04.2023, wherein the petitioner is yet to put its appearance. Further when learned counsel is confronted with the maintainability of writ petition as the issue of maintainability of appeal can be

2023:PHHC:048118

raised by the petitioner before the appellate authority, learned counsel for the petitioner does not press this petition in order to adopt the alternative course.

Dismissed as withdrawn.

(MANOJ BAJAJ)
JUDGE

10.04.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No