

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-23582-2017

Date of Decision: 08.12.2023

Pink City Expressway Private Limited

..... Petitioner

Versus

Assistant Provident Fund Commissioner and Recovery Officer,
Employments Provident Fund Organization, Regional Office, Gurgaon and
others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Ashok Kumar Jindal, Advocate
for the petitioner.

Mr. Ashish Chaudhary, Advocate
for respondent No.1.

Mr. Lalit Thakur, Advocate and
Mr. Ateev Raj Sandhu, Advocate
for respondent No.2.

Mr. Sunil Kumar Sahore, Advocate
for respondent No.3.

HARSH BUNGER J. (ORAL)

1. The instant writ petition has been filed under Article 226 of the Constitution of India seeking quashing of the proceedings initiated by respondent No.1 against the petitioner under Sections 8B to 8G of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. A further prayer has been made for quashing the order dated 04.10.2017 (Annexure P-1) passed by respondent No.1.

2. Learned counsel for respondent No.1 has handed over a

photocopy of Office Note dated 18.10.2023 issued by the Recovery Officer, Gurgaon (East), which is taken on record, subject to all just exceptions; and the same reads as under:-

“Sub:- Regarding information of Recovery of PF dues in respect of NKC Projects Pvt. Ltd. bearing PF Code GN/GGN/26453.

Please refer to above cited subject, as per information received a case titled as M/s Pinkcity Expressway Pvt. Ltd. v/s RPFC Gurgaon is pending before the Hon;ble Punjab & Haryana High Court Chandigarh.

Hence, keeping in view the above, this is to inform legal cell that complete RRC (dated 27.04.2017) amount of Rs.2,39,28,905/- has been recovered from M/s NKC Projects Pvt. Ltd. (M/s Pinkcity Expressway Pvt. Ltd. being Principal Employer of M/s NKC Projects Pvt. Ltd.) in April 2023.

This is for your kind information and further necessary action.”

3. While referring to the aforesaid Office Note dated 18.10.2023, learned counsel for respondent No.1 submits that the instant writ petition has become infructuous as the entire amount stands recovered, which fact is not disputed by learned counsel for the petitioner, who even submits that the petitioner-Company has rather gone into liquidation.

4. Keeping in view the aforesaid submissions made by learned counsel for the parties, the present writ petition is dismissed as having been rendered infructuous.

5. All pending application(s), if any, shall also stand closed.

08.12.2023

Apurva

**(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No