

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CWP-27069-2018

Date of decision: 24.07.2023

M/S KHURANA BROS.

.....Petitioner

VERSUS

PUNJAB STATE AGRICULTURAL MARKETING BOARD AND
OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Vishal Sodhi, Advocate
for the petitioner.

Mr. S. S. Medu, Advocate
for the respondents No.1 and 2.

Mr. Rajesh Hooda, Advocate
for respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present petition was to the order dated 12.06.2018 (Annexure P-4) passed by respondent No.2 for recovery of Rs. 20.50 lakhs against the petitioner out of which Rs. 3,37,831/- had been withheld/deducted by the respondents illegally.

Learned counsel appearing on behalf of respondents No.1 and 2 has pointed out that EPF Department had initiated proceedings against the Office Under Section 7 (A) for the period from November, 1996 to March, 2009. The orders of the said proceedings were issued by the EPF Department on 26.05.2017 for an amount of Rs. 564.66 lakhs was shown to be recovered from various Contractors and Cooperative Societies. Only 25% of the said amount had been

recovered and Rs. 20,49,851/- was required to be deposited by the petitioner.

Counsel for respondents No.1 and 2 informs that the above said demand was raised on the basis of the order communicated by the EPF Department. In the Appellate jurisdiction, the EPF Tribunal/Central Government Industrial Tribunal, Chandigarh has set aside the said demand and has remanded the matter on 22.06.2021. Hence, since the demand itself has been set aside thus, the present petition has been rendered infructuous. As and when any such demand is communicated by the EPF Department, an appropriate action in accordance with law shall be taken.

In view of aforesaid statement made by counsel for the respondents No.1 and 2-Mandi Board, Amritsar to the effect that the aforesaid letter no more remains in force, as the principal demand has already been set aside by the Appellate Tribunal, the present petition is disposed of as having been rendered infructuous.

Consequently, the amount of the petitioner, if any, that has been retained may be released in accordance with law.

(VINOD S. BHARDWAJ)
JUDGE

JULY 24, 2023
Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No