

CWP-20470-2022

-1-

271

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

CWP-20470-2022

Date of Decision: 12.09.2023

Karnail Singh

....Petitioner

Versus

Employees Provident Fund Organization and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Raj Kaushik, Advocate and
Mr. Piyush Aggarwal, Advocate
for the petitioner.

Mr. Rajesh Hooda, Advocate
for respondents No.1 and 2.

Mr. G.S. Bal, Senior Advocate assisted by
Mr. Madan Gopal, Advocate
for respondent No.3.

HARSH BUNGER, J. (Oral)

1. Petitioner (Karnail Singh) has filed the instant Writ Petition under Articles 226/227 of the Constitution of India for issuance of writ in the nature of Mandamus for directing respondents No.1 and 2 to consider and decide the application dated 16.12.2021 (Annexure P-10) filed by the petitioner and other workers for depositing their provident fund dues as the same has not been done even after the passing of order dated 24.10.2019 (Annexure P-9) by the Assistant Provident Fund Commissioner.

CWP-20470-2022

-2-

2. Learned counsel for the respective parties submit that in fact the order dated 24.10.2019 was challenged in appeal wherein, the matter was remanded to the Regional Provident Fund Commissioner-II for passing a fresh order whereupon an order dated 31.10.2022 has been passed and fresh assessment has been made. A copy of order dated 31.10.2022 has been handed over by learned counsel for respondents No.1 and 2 in Court today, which is taken on record, subject to all just exceptions and the same is marked as Mark-‘X’.

3. Learned counsel for the parties are *ad idem* that the instant writ petition may be disposed of by directing the respondent No.2 to consider the application dated 16.12.2021 (Annexure P-10) filed by the petitioner and other workers, taking into consideration the subsequent facts as well as the order dated 31.10.2022.

4. In view of the above submission made by respective counsels, the instant petition is disposed of with a direction to respondent No.1/respondent No.2 to consider and decide the representation/application dated 16.12.2021 (Annexure P-10) submitted by the petitioner and other workers keeping in view subsequent facts/order dated 31.10.2022; within a period of 8 weeks from the date of receipt of certified copy of this order.

5. Disposed of in the aforesaid terms.

6. All pending application(s), if any, shall also stands disposed of.

12.09.2023

Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No