

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2035 of 2024

M/S Shankar Gas Service having its registered office at Parbatti Chowk, Nathnagar Road, District-Bhagalpur, through its Partner namely Diwakar Prasad Sah, male, aged about 30 years, Son of Shankar Sah, resident of M/S Shankar Gas Service, Mahavir Path Road, Parbatti, P.s.-Tatarpur, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Labor and Employment, Government of India at New Delhi, Shram Shakti Bhawan, Rafi Marg, New Delhi-110119.
2. Employees Provident Fund Organization through Central Provident Fund Commissioner, E.P.F.O. Head Office, New Delhi Bhavishya Nidhi Bhawan, 14, Bhikaji Cama Place, New Delhi-110 066.
3. Central Provident Fund Commissioner, E.P.F.O. Head Office, New Delhi Bhavishya Nidhi Bhawan, 14, Bhikaji Cama Place, New Delhi-110 066.
4. The Central Board of Trustee under the Employees Provident Fund and Miscellaneous Provisions Act 1952, having its seat at Bhavishya Nidhi Bhawan, Barakhambha Road, New Delhi.
5. Regional Provident Fund Commissioner cum Recovery Officer, Regional Office, Bhagalpur, Telephone Bhawan, M. G. Path, Near Head Post Office, Bhagalpur-812001.
6. The Branch Manager, Indian Bank, Bhaganpur Main Branch.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar
For the Respondent/s	:	Mr.Additional Solicitor General
for the EPFO		Mr. Prashant Sinha, Adv.
For the Bank		Mr. Ajhit Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 09-02-2024 Learned counsel appearing on behalf of the respondents has stated that as on date, the Appellate Tribunal at Dhanbad is functioning and is being presided by the Presiding Officer of Asansol Bench. He is looking after the cases before the said tribunal.



2. Having regard to the same, the present writ petition is disposed of directing the petitioner to approach the said Tribunal by way of I.A. seeking interim stay of warrant of arrest bearing No. BR/RO/BHA/RRC-64/25479/5827 dated 01.02.2024 (annexure P/5 of the I.A. 1 of 2024) within a period of two weeks from today. On such application being made, the same shall be considered on its own merits.

3. Till such time, the authorities are directed not to arrest the petitioner.

4. However, in case the petitioner does not file any application before the Appellate Tribunal within the time stipulated by this Court, they are free to act on the warrant of arrest.

5. With the above directions, the present Writ Petition stands disposed of.

(A. Abhishek Reddy , J)

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