

07. 08. 2024

BP/Mithun
ML. 81-82
Court No. 10

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 16074 of 2024

Sri Santi Ranjan Ghosh
Vs.
The Regional Provident Fund
Commissioner & Ors.

With

WPA 16083 of 2024

Sankar Dhar
Vs.
The Regional Provident Fund
Commissioner & Ors.

Mr. Purnasish Gupta
..for the petitioner

Mr. Ranjay De
Mr. B. Banerjee
Mr. A.A. Bose
..for the respondent no.4

Mr. Anil Kumar Gupta
..for the P.F. Authority

The grievance of the petitioner is directed against
alleged non-payment of provident fund dues.

On behalf of the Provident Fund Authorities, it is
submitted that the alleged claim furnished by the
petitioner are vague, incomplete and bereft of any
particular and incapable of being examined.

On behalf of the private respondent no.4, it is
submitted that they are an exempted establishment. In
any event, there is no privity of contract between the
petitioner and the private respondent no.4. In such

circumstances, the writ petition is misconceived and not maintainable against the respondent no.4.

In view of the submissions made on behalf of the parties, WPA 16074 of 2024 and WPA 16083 of 2024 stands disposed of by granting liberty to the petitioner to make an application, furnishing all necessary particulars before the Provident Fund Authorities. If such application is made, the Provident Fund Authorities are directed to dispose of the same within eight weeks from the date of receipt of such application and after giving a right of hearing to the petitioner and the private respondent.

The Provident Fund Authorities are directed to act in accordance with law without being influenced by any observations or findings in this order insofar as the merits of the case are concerned.

(Ravi Krishan Kapur, J.)

