

Court No. 2
07.11.2024
(Item No. 5)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 22484 of 2024

M/S. Industrial Services & Anr.
VS
The Regional Provident Fund Commissioner-I & Ors.

Mr. Lakshman Chandra Halder
.... For the petitioners
Mr. Rejib Ray
Ms. Oishanee Ghosh
.... For the RPFC-I

Mr. Lakshman Chandra Halder, learned advocate appears for the petitioners.

Mr. Rajib Ray, learned advocate appears for Regional Provident Fund Commissioner-I.

The order impugned in this writ petition is dated **July 31, 2024, annexure P-2** at **page 12** to the writ petition passed by the Provident Fund authority under **Section 14B** of the **Employees' Provident Funds & Misc. Provisions Act, 1952. Section 7-I** of the **1952 Act** provides for a statutory appeal.

On a plain reading of the impugned order, it appears that, several fact finding enquires are required to be made, for which statutory appeal is the appropriate forum.

In view of the above, the petitioners shall be at liberty to prefer the necessary appeal under **Section 7-I of the 1952 Act** positively within a period of **two weeks** from date before the jurisdictional appellate authority.

In the event, such an appeal is preferred, the same shall be registered immediately on the date it is presented and the jurisdictional appellate authority shall dispose of the same strictly in accordance with law after granting an opportunity of hearing to the parties to the appeal as expeditiously as possible but not exceeding a period of **eight months** from the date of registration of the appeal.

It is made clear that, this Court has not gone into the merits of the claim of the writ petitioners. The parties shall be at liberty to urge whatever points they wish to urge in the appeal by relying upon whatever records and documents they wish to rely upon.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

On the above terms this writ petition **W.P.A. 22484 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)