



W.P.No.2718 of 2024
and W.M.P.No.2994 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.2718 of 2024
and W.M.P.No.2994 of 2024

Kaleesuwari Refinery Pvt. Ltd.,
Rep. by its Authorized Signatory,
No.5, Mambakkam Road, Sithalapakkam,
Vengaivasal, Chennai - 600 073.

... Petitioner

Vs.

The Recovery Officer,
Office of the Employees Provident Fund Organization,
Regional Office,
No.3, Rajaji Salai, Tambaram,
Chennai - 600 045.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the prohibitory orders of the respondent in proceedings number TB/TAM/RO/RECY/CP3/522/39885/2023-24 dated 03.01.2024 and quash the same and further permit the petitioner to operate bank accounts maintained with State Bank of India, Solaiyur Branch with A/c.31152659877 and Union Bank of India, Washermenpet Branch with A/c.465005050070001.



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For Petitioner : Mr.Haroon AL. Rasheed

For Respondent : Mr.R.Vishnu

ORDER

Heard the learned counsel on either side.

2. It is seen that this Court vide order dated 06.08.2021 in W.P.No.14264 of 2015 set aside the order passed in ATA No.182(13)2013 dated 03.11.2014 on the file of the Employees' Provident Fund Appellate Tribunal, New Delhi. The matter was remitted back to the Tribunal for fresh consideration. In spite of the aforesaid order of the Court, papers were not reconstructed and the appeal was not taken up. But the impugned prohibitory order No.TB/TAM/RO/RECY/CP3/522/39885/2023-24 came to be passed on 03.01.2024. Challenging the same, the present writ petition is filed.



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3. There is a dispute between the petitioner and respondent as to who should reconstruct the papers. Be that as it may, the impugned order has been passed without complying with the earlier order of this Court. Hence, direction is issued to the petitioner to reconstruct the appeal papers before the Central Government Industrial Tribunal (CGIT) within a period of four weeks from the date of receipt of a copy of this order and the Central Government Industrial Tribunal shall dispose of the appeal within a period of eight weeks thereafter.

4. For the foregoing reasons, the order impugned in this writ petition is set aside. This Writ Petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

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Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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N.MALA, J.

mtl

To

The Recovery Officer,
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