

**CWP-25044-2024**

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

111**CWP-25044-2024****Date of decision: 27.09.2024****MANDEEP KAUR PUNGLIA****....PETITIONER****Vs.****EMPLOYEES PROVIDENT FUNDS ORGANISATION AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Deepanshu Mehta, Advocate
for the petitioner (through V.C.).

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent Nos. 1 and 2 to initiate action on complaint dated 04.07.2024 (Annexure P-1) and representation dated 20.08.2024 (Annexure P-2). He is further seeking setting aside of orders dated 09.05.2024 (Annexure P-5) and 28.08.2024 (Annexure P-6) passed by respondent No. 3 (Regional Provident Funds Commissioner-II).

2. The petitioner from 1999 to 2021 worked with R.K. Public Senior Secondary School, Shakti Nagar, Dera Bassi as Hindi Teacher. She filed a complaint before Regional Provident Funds Commissioner-II alleging that management is not making employer's contribution since 1999. The official respondents initiated an inquiry against the school under Section 7-A of Employees' Provident Fund Act, 1952. The Authorities did not find substance in the complaint and accordingly, file was closed. The petitioner further filed complaint with Chief Vigilance Officer to the effect that Regional Provident

Funds Commissioner has wrongly recorded her consent whereas she is disputing Enforcement Officer’s report. She again filed complaint since no cognizance was taken on first complaint. On the complaint of petitioner, the Regional Provident Funds Commissioner reviewed its earlier order and dismissed the application without calling her.

3. Mr. Deepanshu Mehta, Advocate submits that the official respondents did not take action on the complaints filed by the petitioner, thus, this Court should intervene.

4. The Provident Fund Authorities have passed order whereby proceedings against school have been dropped. The petitioner, if permissible by law, could file appeal against order dropping proceedings. The petitioner opted for filing complaint before higher authorities. This Court, in exercise of its writ jurisdiction, cannot ask the Authorities to act in a particular manner or as per opinion of petitioner. The Court is sanguine of the fact that Competent Authority would act in accordance with law.

5. Disposed of with liberty to petitioner to approach appropriate authority, if so advised.

27.09.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No