

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18292 of 2024

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The Institute of Entrepreneurship Development Bihar, through its Executive Director, 5/6 and 5/7, Patliputra Industrial Area Patna through the authorized signatory Sri Siya Nand Mishra, aged about 61 years, Gender- Male, S/o Mr Late Bhagwati Prasad Mishra, 40 Bhattacharji Lane, Mahavir Chowk, Upper Bazar, Ranchi, P.S. - Kotwali, District- Ranchi, Jharkhand.

... .. Petitioner/s

Versus

1. The Union of India Through Secretary, Ministry of Labour and Employment, Government of India, New Delhi.
2. The Board of Trustees (Central Board), Employees Provident Fund Organization (Ministry of Labour and Employment), Government of India, 14-Bhikaji Kama Palace, New Delhi- 110066.
3. The Regional Provident Fund Commissioner-II, Employees Provident Fund Organization (Ministry of Labour and Employment), Regional Office, Bhavishya Nidhi Bhawan, Road No. 6, R Block, Patna - 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar, Adv.
For the Respondent/s	:	Mr.Additional Solicitor General
For the UOI		Mr. Parul Pd., CGC
		Mr. Aditya Anand, Adv.

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

3 16-09-2025 Learned counsel appearing on behalf of the respondents-EPFO submits that the present writ petition is not maintainable as the petitioner is having an alternative and efficacious remedy of filing an appeal under Sections 7-I of the EPF & M.P Act 1952. Learned counsel further submits that the petitioner without availing the said remedy of appeal has approached this Hon'ble Court.

2. Learned counsel appearing on behalf of the petitioner submits that at the time of filing the present writ



petition the Tribunal was not functioning, therefore, the petitioner has approached this Hon'ble Court.

3. However, both the counsel admit that the Tribunal is functioning at present.

4. Having regard to the same, the present writ petition is disposed of granting liberty to the petitioner to approach the Tribunal under the Employees Provident Fund & Miscellaneous Provisions Act, 1952 and file an appeal against the order dated 29.08.2024 passed under Sections 7Q and 14B within a period of four weeks from today. On such appeal being filed, the authority shall consider the same on its own merits and pass necessary orders. In case any I.A. is filed seeking stay of the impugned order, the same shall be considered on its own merits.

5. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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