

11.07.2025
Item No. 08
Ct. No. 30
AN

WPA 10029 of 2025

**M/s. Baynee Industries & anr.
vs.
Employees Provident Fund Organisation & ors.**

Mr. Soumya Majumder, Id. Sr. Adv.
Ms. Sanjukta Dutta
... for the petitioners

Mr. Mihir Kundu
... for the P. F. authorities

On hearing learned counsel for the parties, the matter be taken of C.A.V.

The present writ application has been preferred challenging the order and demand notice dated 26.02.2025 passed by the respondent no. 3 and notice for recovery dated 08.04.2025.

It appears from the materials on record that the said demand and recovery notice has been issued against an order passed under Section 14B and 7Q of the E.P.F. Act.

Admittedly, the said order being a composite order under Section 14B and 7Q of the E.P.F. Act, is appellable before the Central Government Industrial Tribunal.

The petitioners submit that they have preferred the writ petition challenging the demand and recovery notice. It appears that the order passed under Section 14B and 7Q of the E.P.F. Act has not been challenged before the appropriate forum.

Considering the said facts and on hearing the learned counsels for the parties, the writ application is **disposed of** with liberty granted to the petitioners to prefer an appeal within 30 days from the date of this order against the order passed under Section 14B and 7Q of the E.P.F. Act.

The period of limitation is extended for 30 days. The demand and recovery notice dated 26.02.2025 passed by the Assistant Provident Fund Commissioner, Howrah that the notice for recovery dated 08.04.2025 be stayed till the matter/appeal is taken up by the Presiding Officer of the Tribunal.

It is made clear that in case no appeal is preferred within the period as specified hereinabove, the order of stay shall automatically stand vacated.

Consequently, pending applications, if any, stand disposed of.

Interim order, if any, stands vacated.

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Shampa Dutt (Paul), J.)