

14.05.2025
Item No.07
BR

WPA 10229 of 2025
Emas Expressway Private Limited
-vs-
Assistant Provident Fund Commissioner,
Howrah and others

Mr. Suvadip Bhattacharjee
Mr. Balaram Patra,
Mr. Sourav Dutta
... for the petitioner

Ms.Sanchayita Das,
Ms. Debjani Ghosal
... for the EPF authority

Affidavit of service filed by the petitioner
be kept with the record.

The present writ application has been preferred against an order dated 8.4.2025 passed by the authorized officer. Regional office, Howrah under Section 8 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 being RRCC No. WBHLO/36902/RRC/2024-25/1172.

By way of supplementary affidavit, the petitioner has filed further notices issued by the Recovery Officer, Regional Office, Howrah dated 1.5.2025 and 5.5.2025.

Let the said orders be also treated as part of this record.

Learned counsel for the petitioner submits that an appeal has been preferred by the petitioner herein before the EPF, Appellate Tribunal Kolkata being EPF 15 of 2024 (page 118) and during pendency of the appeal, the said notices are being issued against the petitioner.

It appears that though an appeal has been preferred there is no Presiding Officer at present posted at the Appellate Tribunal and as such the appeal cannot be heard until an Officer is posted.

In view of the said facts and in the interest of justice, the orders dated 8.4.2025, 1.5.2025 and 5.5.2025 issued by the RPF Authority/Recovery Officer be stayed till the appeal is taken up by the Appellate Tribunal.

In view of the fact that the orders dated 8.4.2025, 1.5.2025 and 5.5.2025 have been stayed, freezing of account , if any by virtue of the said orders be defreezed at once to ensure payment of wages.

The petitioner shall not make any transactions from the said account/s other than those necessary for functioning of the Establishment till disposal of the Appeal.

Accordingly, **WPA 10229 of 2025** stands
disposed of.

Urgent photostat certified copies of this order
may be delivered to the learned Advocates for the
parties, if applied for, upon compliance of all
formalities

(Shampa Dutt (Paul), J.)