

13.05.2025
Ct. No. 30
S.L. No.4
SM

WPA 10237 of 2025
Joydev Chandra Sinha
Vs.
Union of India & Ors.

Mr. Mitul Chakraborty
.....for the petitioners
Mr. Ujjwal Datta
.....for the respondent no. 2, 3 &
4/EPFO Authorities

The present writ application has been preferred praying for setting aside the order dated 20.02.2025 passed by the learned Presiding Officer, Central Industrial Tribunal in E.P.F. No. 07/2021 thereby affirming the order dated 07.07.2021 passed by the Regional Provident Fund Commissioner.

As none appears for the EPF Authorities, learned counsel Mr. Ujjwal Datta appearing in WPA 10240 of 2025 is appointed to represent the EPF authorities in the present case also. The appointment of Mr. Ujjwal Datta be regularized by the appropriate authority.

It is the contention of the petitioner herein that the learned Tribunal has erroneously disposed of the appeal without considering the main point in appeal being that the Regional Provident Fund Commissioner in his order dated 07.07.2021 has not passed a reasoned order.

It is submitted that being a quasi judicial body it is the duty of the authority concerned to pass a well reasoned order on hearing the parties.

It is being aggrieved with the allegedly unreasoned order dated 07.07.2021 passed by the Regional Provident Fund Commissioner that the appeal was preferred before the Tribunal in EPF Appeal No. 8 of 2021.

The learned Tribunal considered the entire case of the petitioner and by passing a well reasoned order taking into consideration all facts which is to be considered by the authority while deciding a case for imposing damages under Section 14B of the EPF Act dismissed the appeal.

Considering the submission of the learned counsel for the petitioner and keeping in mind the principle of natural justice, this Court has also gone into the order dated 07.07.2021 which was appealed against.

On perusal of the said order this Court finds that the Regional Provident Fund Commissioner has duly considered the case of the petitioner herein and by specifying the reasons at paragraph 4 of the said order has passed a well reasoned order which appears to be in accordance with law.

The period of delay in this case relates to the period from year 2012 to 2019, which is well ahead of the COVID pandemic. As such the ground for delay

due to COVID pandemic is not applicable to the case of the petitioner.

Thus, considering the materials on record and on considering the order under appeal (challenge herein), this Court finds the said order is in accordance with law being a well reasoned order and thus requires no interference by this Court.

The writ application stands dismissed.

Pending applications, if any, stands disposed of.

Interim order, if any, stands vacated.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

[Shampa Dutt (Paul). J]