

25.02.2025

Sl. No.: 18
Court No.30
BM

WPA 8533 of 2015

+

IA No. CAN 1 of 2022

Messrs Ashok Biri Factory & Anr.

Vs.

Regional P.F. Commissioner-I & Anr.

Mr. Sulagna Sen

... for the petitioners

Mr. Shiv Chandra Prasad

... for the PF Authority

1. The present writ application has been preferred against an order dated 30.03.2015 passed in a proceeding under Section 7A passed by the Regional Provident Fund Commissioner-II and Assessing Officer, SRO, Jalpaiguri.
2. It is submitted that the writ application was filed within the period of limitation without preferring an appeal under Section 7(i) of the EPF Act on the ground that the Appellate Tribunal was stationed at New Delhi.
3. It is submitted that the Appellate Tribunal is functioning in West Bengal after 2015, when the present writ application was preferred.
4. The petitioners now prays for leave to prefer an appeal against the said order before the Appellate Authority on withdrawing the present writ application.

5. On hearing the learned counsel for both parties, the writ application is dismissed as withdrawn.
6. This court has not gone into the merit of the case.
7. The petitioner is granted liberty to move the appellate Tribunal within a period of 30 days from the date of this order and the appeal shall be registered on compliance of all formalities in accordance with law.
8. All connected applications, if any, stand disposed of.
9. Interim order, if any, stands vacated.
10. Urgent Xerox certified copies of this order, if applied for, shall be supplied to the learned counsel for the parties as expeditiously as possible, in compliance of usual formalities.

(Shampa Dutt (Paul), J.)