

21.05.2025
Item No.9
Ct. No. 30
Aloke

WPA 10866 of 2025

Vijai Shree Pvt. Ltd.
Vs
Regional Provident Fund Commissioner – I,
Regional Office, Howrah

Mr. Soumya Majumder, Id. Sr. Adv.
Mr. S.K. Singh
Mr. Ravi Kr. Dubey
... for the petitioner

Ms. Aprana Banerjee
... for the P.F. Authorities

Affidavit-of-service filed be kept with the
record.

The writ application has been preferred
challenging the order no. WB/
HLO/WB/0000077/000/Enf 501/Damage/455 dated
27.09.2024 and letter /memo/notice of demand to
the defaulter in Form No. EPF C.P.-I, being memo
no. WBHLO/RECOVERY/WB/77/RRC/2024-
25/1300/2567 dated 30.04.2025.

It is the case of the petitioner that being
aggrieved by an order of the Regional Provident Fund
Commissioner under Section 14B of the EPF Act, an
appeal has been preferred before the Central
Government Industrial Tribunal, Kolkata on 15th
October, 2024 being appeal no. EPF 19 of 2024.

**It is submitted that during the pendency
of the appeal, the Recovery Officer, Howrah has
issued a notice of demand on 30.04.2025.**

Learned counsel appearing for the EPF Authorities submits that the recovery notice dated 30.04.2025 relates to recovery of damages under Section 14B of the EPF Act and also the interest under Section 7Q of the Act.

It is further submitted that only the order under Section 14B of the EPF Act has been challenged before the CGIT. It is thus submitted that there being no appeal against the order under Section 7Q of the EPF Act, the petitioner is liable to make the said payment of interest as adjudicated under Section 7Q of the Act by the Regional Provident Fund Commissioner.

On hearing the parties and considering the materials on record, it appears that as an appeal has been preferred against the order of the Regional Provident Fund Commissioner passed under Section 14B of the EPF Act before the CGIT, Kolkata and is pending hearing, the writ application is disposed of with the direction that the notice dated 30.04.2025 in respect of the demand made in the order under Section 14B of the EPF Act shall remain stayed till disposal of the appeal before the CGIT, Kolkata.

The authorities concerned are at liberty to proceed in accordance with law in respect of their claim under Section 7Q of the EPF Act.

WPA 10866 of 2025 is accordingly disposed of.

There will be no order as to costs.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)