

23.05.2025
Item No. 11
Ct. No. 30
AN

WPA 11563 of 2025
Suburban Industrial Works Pvt. Ltd. & anr.
vs.
Assistant Provident Fund Commissioner & ors.

Mr. Siddhartha Sharma
Mr. Rishave Dutt
Mr. Danish Talim
Ms. Swagata Roy

... for the petitioners

The present writ application has been preferred challenging an order dated 22.11.2024 passed by the Regional Provident Fund Commissioner, Kolkata under Section 14B of the EPF Act.

It appears that without preferring an appeal, the petitioners have approached the High Court on the ground of gross “perversity” in the order and lack of reasoning.

On perusal of the order challenged, this Court finds that there is no prima facie reason to entertain the writ application. The petitioners have their relief before the Tribunal being the Central Government Industrial Tribunal, where the petitioners are at liberty to prefer an appeal.

Accordingly, the present writ application is **disposed of** with a direction that the petitioners shall prefer an appeal in accordance with law under the EPF Act before the CGIT, Kolkata. The period of limitation shall be counted from this date.

Considering the prayer of the learned counsel appearing for the petitioner, the notice under Section 14B be stayed till filing of the appeal.

It is clarified that this Court has not gone into the merits and the issues involved in the present case.

There will be no order as to costs.

Interim order, if any, stands vacated.

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.)