

S/L Supp 1
22.12.2025
Court No.10
Swd

WPA 13737 of 2024

NTPC Ltd.
Vs.
Regional Provident Fund Commissioner - I & Anr.

Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.
Mr. Soumya Majumder, Sr. Adv.
Mr. Uttam Kr. Mondal,
Mrs. Maitree Roy,
Ms. Unita Mandal.

.....for the Petitioner/ NTPC.

Mr. Shiv Chandra Prasad.

.....for the PF Authority.

1. Heard the parties through their respective learned Counsels.
2. The petitioner has filed the instant writ petition praying, inter alia, for stay of the operation of the notice dated 11th December, 2025 issued by the Recovery Officer of the Regional Officer, Behrampore.
3. The learned Counsel for the petitioner submits that during the pendency of this writ petition the Recovery Officer of the Regional Officer, Behrampore has issued a notice to remit the remaining balance of the amount to the tune of Rs.3,70,43,574/- for the period from 01/1990 to 03/1995 as passed under Section 7A of the Employees' Provident Fund & Miscellaneous Provision Act, 1952, (hereinafter referred to as 'the Act') vide order dated 20.02.2024.
4. In the light of the order dated 26th July, 2024 passed by the Coordinate Bench of this Court, two Ministries

were requested to resolve their differences out of Court at an administrative level but the same remained unresolved.

5. During the pendency of the instant writ petition, the respondent initiated the recover proceedings under Section 7A read with Section 8B and 8G of the said Act.
6. The learned Counsel for the petitioner submits that an element of gross anomaly exists as to the figures mentioned by the authorities in the impugned notice. On an earlier occasion an amount of Rs.50 lakhs was already paid by the petitioner to the concerned authority against which only a balance of Rs.37 lakhs is payable to the authority concerned.
7. The learned Counsel for the respondent vehemently opposes such contention of the petitioner and submits that as per record the remaining balance of Rs.3,70,43,574/- is due and payable after making an adjustment of Rs.50 lakhs to the assessed dues.
8. In view of the above, I direct the petitioner to deposit a further sum of rupees one crore by way of a demand draft or fixed deposit in favour of Regional Provident Fund Commissioner in an interest bearing account of a Nationalized Bank within a period of four weeks.
9. The impugned notice dated 11.12.2025 issued by the Recovery Officer is hereby quashed and set aside. Upon being satisfied with the proof of payment of

rupees one crore, the appeal, if preferred, shall be entertained by the authority concerned.

10. I direct the Appellate Authority to conclude the hearing of the appeal on merits peremptorily within a period of 60 days from the date of deposit of rupees one crore with the authority concerned.

11. In the meantime, till the disposal of the appeal the authorities are restrained from taking any coercive action. The Appellate Authority shall expedite the hearing of the appeal as directed within a period of 60 days.

12. With the above observation and directions, this writ petition WPA 13737 of 2025 is disposed of without any order as to costs.

13. Since affidavits are not called for, the allegations made in this writ petitioner deemed not to have been admitted by the respondents.

14. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Smita Das De, J.)