

20.08.2025
Item No.01
BR

WPA 12744 of 2025
Deo Prakash Pandey
-vs-
Assistant Provident Commissioner
Employees Provident Fund Organisation
and Ors.

Mr.Shiv Shankar Banerjee
... for the respondent

1. The matter has been listed on the prayer of the petitioner but he is not present in Court at the time of call.

2. The document at page 90 has been brought to the notice of this Court in respect of their case that an appeal being No. 16 of 2024 is pending before the Central Government Industrial Tribunal, Calcutta and the same was filed on 4.10.2024. In view of the said document already on record which was not placed by the petitioner at the time of hearing the order dated 22.7.2025 is required to be modified.

3. Accordingly, as this Court finds that an appeal is already pending before the Central Government

Industrial Tribunal and is pending adjudication, the writ application is disposed of with liberty granted to the petitioner to pursue the appeal in accordance with law before the Central Government Industrial Tribunal.

4. Considering the fact that an appeal was already pending before the Central Government Industrial Tribunal, Calcutta when the present writ application was filed and that there was no Presiding Officer in the Tribunal, the writ application is disposed of with the direction that pending hearing of the appeal and recovery notice dated 16.5.2025 passed under Section 14B and 7Q of the EPF Act praying for recovery of the alleged demand under Section 14B and 7Q of the EPF Act be stayed till disposal of the appeal.

5. The writ application stands disposed of.

6. Order dated 22.7.2025 stands modified accordingly.

(Shampa Dutt (Paul), J.)