

03.07.2025  
Item No.03  
BR

**WPA 14227 of 2025**  
**The Empire Jute Company Limited**  
**-vs-**  
**Regional Provident Fund Commissioner-I**  
**and Ors.**

Mr. Mainaki Bose, Sr. Adv.,  
Mr. Shakeel Mohammed Akhter  
... for the petitioner

Mr. Anil Kumar Gupta,  
.. for the respondent no. 1 and 2

Mr. Arif Ali,  
Mr. Arijit Dey  
.... For the respondent nos. 3 and 5

Mr. Rajarshi Dutta,  
Mr. P.S. Mullick,  
... for the respondent nos. 4 and 6

The writ application has been preferred praying for grant of 72 equal monthly installments to pay the amount of arrear provident fund contribution in terms of the Circular dated February 11, 2014 issued by the Employees' Provident Fund Organisation.

Learned counsel appearing for the petitioner has placed an order of the Recovery Officer dated 3.6.2024 wherein the prayer for 72 installments was placed before the Recovery Officer.

Learned counsel appearing for the E.P.F. Authorities submits that the high

Court in WPA 23174 of 2022 had considered the prayer of the petitioner and in spite of being granted installments the petitioner has violated the said order.

On perusal of the order of the Recovery Officer dated 3.6.2024, it appears that the Recovery Officer has passed the order without giving any reasons or grounds for not considering the said prayer for 72 installments.

Such an order cannot be allowed to remain as the same is without any reasons and thus against the principle of natural justice.

If there is any violation of directions by the petitioner, the same is required to be placed on record in an order recording reasons as to why the prayer is being rejected.

Accordingly, the order dated 3.6.2024 is set aside being not in accordance with law.

The Recovery Officer is directed to reconsider the prayer for 72 installments made by the petitioner afresh and on considering the materials on record, pass a reasoned order, within 30 days from the date of communication of this order.

The petitioner in the writ application has further prayed for waiving the damages imposed by the respondent

authorities against the petitioner company under Section 14B of the said Act of 1952 and direction upon the respondents not to give effect to the orders passed under Sections 7A, 7Q and 14B of the Employees Provident Funds and Miscellaneous Provisions Act, 1952.

It appears that the said orders are to be challenged before the Tribunal (CGIT) and petitioner is thus at liberty to approach the tribunal for appropriate relief in respect of the said orders passed by the E.P.F. Authorities.

Period of limitation be counted from the date of this order.

Writ application stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

**( Shampa Dutt (Paul), J. )**