

25.08.2025
Ct. No. 30
S.L.No.01
MKP

WPA 18331 of 2025

Tasati Tea Limited and Anr...
Vs.
The Employees Provident Fund
Organisation & Ors.

Mr. Mainak Ganguly
Mr. Dhiraj Kr. Gupta
Mr. Swarup Saha
... for the Petitioners

Name not supplied
... for the Respondents

Heard the learned counsel for the
petitioners and the learned counsel appearing
for the E.P.F. Authorities.

Affidavit of service filed be kept with
the record.

In the present case, the validity of
the order under Section 14B of the E.P.F. Act
dated 27.09.2024 is pending adjudication
before the CGIT, Kolkata in E.P.F.-27-2024
(Appeal).

The writ petition has been filed
challenging the order of the respondents
passed under Section 14B of the EPF Act. It
appears that during pendency of the said
appeal, the authorities concerned have
proceeded to issue certificate under Section 8
of the E.P.F. Act on 15.04.2025 and other
notices on 27.04.2025 and 10.03.2025. The

appeal was filed on 25.11.2024. The authorities are aware of the said appeal.

It is unfortunate that the authorities are proceeding in spite of the fact that an appeal has been preferred against their order. Such conduct is to be avoided by the authorities concerned in the interest of justice.

Accordingly, the recovery certificate dated 15.04.2025 and the notices dated 27.04.2025 and 10.03.2025 being against the principles of natural justice and thus not in accordance with law are quashed, as the same have been passed after an appeal has been preferred and is pending.

The authorities are further directed not to proceed and or take any coercive action till the disposal of the appeal by the CGIT, Kolkata, considering that there is no full time presiding officer.

The writ application stands **disposed of.**

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

(Shampa Dutt (Paul), J.)