

11.09.2025
Item No.3
Ct. No. 30
Aloke

WPA 21129 of 2025

Aniruddha Banerjee

Vs.

Union of India & Anr.

Mr. Srijib Chakraborty
Mr. Pankaj Agarwal
Ms. Champa Pal
... for the petitioner

Mr. Arijit Bakshi
... for the respondent no. 1/UOI

1. Affidavit-of-service filed be kept with the record.
2. The writ application has been preferred being aggrieved by an ex parte order dated 23.07.2025 passed under Section 14B read with Section 7A of the EPF Act by the Regional Provident Fund Commissioner.
3. It is submitted by the learned counsel for the petitioner that in course of hearing in the proceedings under Section 14B read with Section 7A of the EPF Act, the petitioner's office which is located at Krishna Building, 224 AJC Bose Road, Kolkata-17 had an incident of fire in the building and for which the Building Association moved the High Court and an order to that effect was passed on 30.06.2025.
4. It is the contention of the petitioner that after the High Court's order was passed on 30.06.2025, the petitioner was not in a position to place all the papers as required by the Regional Provident Fund

Commissioner on 03.07.2025, as it was immediately after the order was passed by the High Court.

5. It is submitted that the petitioner has all intention to place the relevant documents before the concerned authority and they want to place the materials on record if given an opportunity.

6. It appears that on 03.07.2025, the authority concerned was pleased to conclude the hearing without admittedly hearing the petitioner herein and an order was passed on 23.07.2025. The petitioner herein prays for an opportunity to place the relevant papers before the authority concerned in the interest of justice.

7. Learned counsel for the Union of India is present and submits that admittedly there was a fire in the building but the portion in possession of the petitioner was not affected and the petitioner was granted access to the said portion by virtue of the High Court's order.

8. Considering the facts and circumstances, it appears that the petitioner was permitted to use his office only after the High Court's order dated 30.06.2025 and prima facie it appears that there was a valid reason for the petitioner to be not able to appear for hearing before the authority concerned on 03.07.2025.

9. Thus, in the interest of justice, the order dated 23.07.2025 passed by the Regional Provident

Fund Commissioner under Section 14B read with Section 7A of the EPF Act is set aside. The matter is remanded back to the authority concerned who shall give an opportunity of hearing to the petitioner and dispose of the case in accordance with law.

10. The petitioner is directed to file all relevant documents before the authority concerned within 10 days from the date of this order and a date of hearing be fixed by the authority concerned.

11. The writ application stands disposed of.

12. Connected application, if any, stands disposed of.

13. Interim order, if any, stands vacated.

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

(Shampa Dutt (Paul), J.)