

24.09.2025
Ct. No. 30
Suppl No. 01
MKP

WPA 2084 of 2025

M/S Essem Jute Industries Ltd

Vs

Employees P.F.Organization And Ors.

Mr. Ranjay De, Sr.Adv.

Mr. Basabjit Banerjee

Mr. Adityajit Abel Bose

.....for the Petitioner

1. Affidavit of service be kept with the record.
2. The writ application has been preferred, praying for setting aside of an order dated 13.08.2021 passed under Section 7A of the E.P.F.Act which is a subject matter of the E.P.F. Appeal Case No.12 of 2021. Admittedly, an appeal is pending before the C.G.I.T., Kolkata, pending adjudication.
3. It appears that there is no Presiding Officer at the C.G.I.T., Kolkata, at present. The Learned Counsel for the petitioner submits that as the tribunal vacate, the writ Court be pleased to direct that the order under challenged be send back on remand to the concerned authority to adjudicate afresh the issue involved therein.

4. Admittedly, the order under Section 7A of the E.P.F.Act is the subject matter of E.P.F.Appeal No.12 of 2021, pending before the C.G.I.T, Kolkata. Though, the tribunal is vacant it is not for this Court to decide the issue, which is subject to adjudication in a pending appeal.
5. Considering the said facts, the petitioner is directed to approach the Learned C.G.I.T, Kolkata, in-charge for expeditious disposal of the appeal.
6. Learned Court for the petitioner submits that considering the tribunal is vacant for a long time, in case, the tribunal hold against the petitioner herein, a huge interest may be imposed on the petitioner for no fault of his.
7. Considering the said facts, the writ application is disposed of with the direction that the C.G.I.T., Kolkata, in-charge shall take up the matter for disposal as per his convenience and while disposing the matter shall keep in mind the long pendency of the appeal due to the absence of a regular

Presiding Officer at the tribunal. While imposing interest in case, the appeal is decided against the petitioner.

8. The Writ application stands **disposed of**.

9. Applications, if any, connected thereto stand disposed of consequently.

10. Interim order, if any, stands vacated.

11. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]