



WEB COPY

WP No. 6726 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-08-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

WP No. 6726 of 2022

and WMP.No.6812 of 2022

M/s.Stepsstone Promoters Private Limited
Represented by its Managing Director Mr.
K. Mothish Kumar No. 1 /1, 1st Floor,
Sakthi Nagar 2nd street, Choolaimedu,
Chennai 600 094.

Petitioner(s)

Vs

The Regional Provident Fund
commissioner II
EPF Organization, Regional office, No. 37,
Royapettah High Road, Chennai 600 014

Respondent(s)

PRAYER: This Writ Petition is filed under Article 226 of Constitution of India to quash the 40 percentage pre deposit condition imposed by the Central Government Industrial Tribunal -cum- Labour court Chennai Tamil Nadu in its order dated 24.01.2022 in EPFA No. 53 of 2020 while admitting the appeal of the petitioner company and consequently allow waiver of the pre deposit of the dues determined u/s 7 A of the Act by the Respondent pending before the Appellate Tribunal.

For Petitioner(s): Mr.S.Kamalakaran
for Mrs.K.Jayasudha

For Respondent(s): M/s.T.R.Sundaram

**ORDER**

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This Writ Petition is filed challenging the orders passed by the Appellate authority under the Central Government Industrial Tribunal cum Labour Court, Chennai, Tamil Nadu in the order dated 24.01.2022 in EPFA No.53 of 2020, wherein the petitioner has challenged the order passed by the authority in order No.TN/RO/CHN-1/CC-II/TN/85626/Div.24/Enf/2020, dated 06.02.2020. At the time of entertaining the appeal, the appellate authority passed the conditional order to deposit a sum of 40% due of Rs.1,27,00,673/- determined in the impugned order under Section 7A of Employees' Provident Funds and Miscellaneous Provisions Act, 1952. Challenging the said order to waive the above said deposited amount, the Writ Petition has been preferred by the petitioner.

2. The learned counsel appearing for the petitioner would submit that the petitioner has challenged the order passed by the Authority under Section 7A of the Act directing to deposit a sum of Rs.1,27,00,673/-. The appellate authority directed the petitioner to deposit 40% of the amount on or before 25.03.2022. In



fact the petitioner, deposited a part of the amount to the tune of Rs.17,99,150/-

even prior to preferring an appeal. However, the appellate authority directed

40% of the total due of Rs.1,27,00,673/- and after preferring the appeal, the

petitioner has deposited a further sum of Rs.20 lakhs. In total, he deposited a

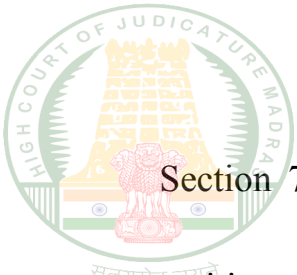
sum of Rs.37,99,150/- therefore prayed to waive the remaining amount as fixed

by the appellate authority in the impugned order.

3. The learned counsel for the respondent would submit that the petitioner failed to pay amount determined by the authority under Section 7A of the act. Since there is a huge amount involved in this case, the appellate authority directed the petitioner to deposit 40% of the due amount, therefore, the appellate authority passed a well-reasoned order and the petitioner has to comply with the order.

4. This Court heard both sides and perused the records.

5. It is admitted fact that the authority quantified the amount under



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Section 7A of the Act at of Rs.1,27,66,073 and before filing the appeal the petitioner remitted Rs.17,99,150/-. As per the order of the appellate authority, he has to pay 40% of the total due amount and thereafter the petitioner has paid a sum of Rs.20,00,000/-, therefore, the petitioner has paid substantial amount determined by the appellate authority. In order to show the bonafideness, the petitioner has already deposited the major part of the amount. Therefore, this Court is of the opinion that the amount already deposited by the petitioner is sufficient, and the conditional order to deposit 40% of the due amount is onerous. The appellate authority can hear the appeal and dispose of the same as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order and in accordance with law. It is made clear that the other conditions in the impugned order shall remain unaltered.

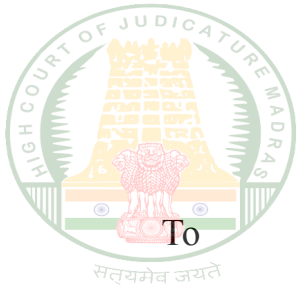
6. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

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Jai

Index: Yes/No



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1. The Regional Provident Fund

commissioner II

EPF Organization, Regional office, No.
37, Royapettah High Road, Chennai
600 014.

2. The Central Government

Industrial Tribunal cum Labour
Court, Chennai, Tamil nadu.



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P.DHANABAL, J.

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