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W.A.No.3491 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.A.No.3491 of 2025
and C.M.P.Nos.28609 and 28611 of 2025

M/s.Oragadam City Developers Private Limited
No.5, Giri Road, T.Nagar, Chennai 600 017
Rep. By its authorised Signatory
Mr.C.V.Lakshman

... Appellant

Vs.

1.Regional Provident Fund Commissioner – I
Employees Provident Fund Organisation
Regional Office
No.37, Royapettah High Road, Chennai 600 014

2.The Assistant Provident Fund Commissioner – I
Employees Provident Fund Organisation
Regional Office
No.37, Royapettah High Road, Chennai 600 014

3.The Recovery Officer
Chennai South
Employees Provident Fund Organisation
Regional Office
No.37, Royapettah High Road, Chennai 600 014

... Respondents



W.A.No.3491 of 2025

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 25.09.2025 passed in W.P.No.37053 of 2025 and consequently allow the Writ Petition.

For Appellant : Mr.K.M.Aasim Shehzad
for M/s.BFS Legal

For Respondents : Mr.R.Vishnu

JUDGMENT

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

When the appellant herein had challenged the order under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, before the Central Government Industrial Tribunal cum Labour Court (CGIT) in EPFA.No.70 of 2020, a conditional stay order was granted on 02.02.2022, directing the appellant to deposit 55% of the 7A order within a stipulated time. Since the order was not complied with, the appeal came to be dismissed on 31.07.2025, which became the subject matter of challenge in W.P.No.37053 of 2025. The learned Single Judge, had enhanced the conditional pre-deposit amount to 75% and directed the appellant herein to deposit the same within a period of three (3) weeks



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from the date of receipt of a copy of the Writ order. This order of the Writ Court is under challenge before this Bench.

2.On 18.11.2025, we had granted an interim order, in the following manner:

“There shall be an order of interim stay on condition that the appellant deposits 55% of the amount, as ordered by CGIT, Chennai, in EPFA 70/2020, dated 02.02.2022, after adjusting any amount that may have already been deposited by them, within a period of three (3) weeks from the date of receipt of a copy of this order. It is made clear that in case the appellant has not complied with this conditional order, the stay shall stand automatically vacated on expiry of the period of three weeks.

2.Mr.R.Vishnu, learned counsel, takes notice for the respondents and seeks time to file counter.

3.Post the matter on 09.12.2025.”

In this background, the appeal came to be listed today.

3.The appellant had filed a memo before us confirming that they have complied with our conditional order dated 18.11.2025 and balance amount of Rs.1,40,78,763/- has been deposited through demand draft dated 06.12.2025, bearing No.300107.

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4.Since, CGIT had not gone into the merits of the case, but had dismissed the appeal only the ground of non compliance of the conditional order, and now that the order has been complied with, we deem it appropriate to remit the matter back to CGIT for further adjudication of the appeal.

5.Accordingly, the order passed both in CGIT in EPFA No.70 of 2020 dated 02.02.2022 and W.P.No.37053 of 2025 dated 25.09.2025 are set aside. The appeal in EPFA No.70 of 2020 is remitted back to CGIT, Chennai, for further adjudication. Tribunal shall endeavor to dispose of the appeal as expeditiously as possible.

6.The Writ Appeal stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

[M.S.R, J.] [R.S.V, J.]
09.12.2025

kas

Index: Yes / No

Neutral Citation

Speaking / Non Speaking

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