

CWP-15758-2021 (O&M) & -1-
connected cases

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

271 (4 cases) CWP-15758-2021 (O&M)
Date of Decision :10.02.2025

G4S Secure Solutions (India) Pvt. Ltd ...Petitioner

Versus

Employees Provident Fund Organization
and others ...Respondents

CWP-37302-2019 (O&M)

G4S Secure Solutions (India) Pvt. Ltd ...Petitioner

Versus

Employees Provident Fund Organization
and others ...Respondents

CWP-37689-2019

G4S Secure Solutions (India) Pvt. Ltd ...Petitioner

Versus

Employees Provident Fund Organization
and others ...Respondents

CWP-982-2024

G4S Secure Solutions (India) Pvt. Ltd ...Petitioner

Versus



**CWP-15758-2021 (O&M) & -2-
connected cases**

**Employees Provident Fund Organization
and another**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amitabh Chaturvedi, Advocate with
Mr. Pankaj Gupta, Advocate & Mr. Paras Jain, Advocate
for the petitioner(s) in all the writ petitions.

Mr. Rajesh Hooda, Advocate for respondents
in CWPs-37302-2019, 15758-2021 & 982-2024.

Mr. Sanjay Tangri, Advocate for the respondents
in CWP-37689-2019.

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner(s) submits that as of now, only a show cause notice dated 27.11.2017 has been issued by the authorities concerned with regard to the certain claim being raised against the petitioner(s) by the authorities of the Provident Fund Commissioner.

2. Learned counsel for the petitioner(s) further submits that the issue on the basis of which the show cause notices are being issued has already been settled in various judicial pronouncement (Annexures P/1 to P/3) in favour of the petitioner(s) hence, the show cause notices are being issued only to rake up the decided issue once again, which is not permissible.

3. Learned counsel for the petitioner(s) submits that keeping in view the language of the show cause notice, it seems that respondents have already made up their mind to issue the order making the petitioner(s) liable for the amount as being detailed in the show cause notice especially, without deciding the maintainability of the proceedings under Section 7-A



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of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 under which the show cause notice has been issued.

4. Learned counsel appearing for the respondents submits that the apprehension of the petitioner(s) that show cause notices have been issued with the predetermined mind is incorrect as the authorities undertake to take into consideration all the objections to the show cause notice already filed or which is to be filed by the petitioners within a period of four weeks from today.

5. Learned counsel for the respondents further submits that in case any issue of jurisdiction or maintainability is raised, the same will also be addressed by the authorities concerned while passing the speaking order on the show cause notices issued to the petitioner(s). Learned counsel for the respondents submits that all the objections raised to the show cause notice, will be decided in a legal manner by taking into consideration the past precedents on the said issue between the parties or even otherwise and in case, the liability is to be fastened upon the petitioner(s), due reasons will be given in the speaking order itself to arrive at the said conclusion. Learned counsel for the respondents further submits that even before passing an order, due opportunity of hearing will be given to the petitioner(s) to present their case in person before the authorities concerned, who is to decide the show cause notice.

6. Keeping in view the above, as no order causing prejudice to the petitioner(s) has been passed by the respondents so far, let the authorities concerned pass an order keeping in view the undertaking as recorded hereinbefore within a period of four months from the date of receipt of copy



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of this order.

8. It goes without saying that in case, the petitioner(s) is aggrieved against any such order passed, they can avail appropriate remedy before the appropriate forum.

9. Present petitions are disposed of in above terms.

10. Civil miscellaneous application pending, if any, is also disposed of.

11. A photocopy of this order be placed on the file of connected case.

February 10, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No