



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

123

CWP-24139-2025 (O&M)
Date of decision: 21.08.2025

Rajesh Kumar and another

....Petitioners

Versus

The State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Hardeep Singh Dhillon, Advocate
for the petitioners.

Mr. Arun Kumar Singla, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing respondent No.2 to determine the provident fund amount as well as the benefits of Life Insurance of the petitioners/employees due from the respondents No.4 to 6/employers, in view of the statutory provisions of Section 7-A of The Employees' Provident Funds and Miscellaneous Provisions Act, 1952, from the day of their joining dates to till date as well as for their remaining future service, as the respondents No.4 to 6 have failed to contribute towards the provident fund as well as to the benefits of Life Insurance of the petitioners in compliance of the statutory provisions of Sections 6 & 6-C of the Act, and as such, respondents No.2 to 6 did not bother to take any action to determine and pay the provident fund amount as well as



the benefits of Life Insurance to the petitioners from the day of their joining dates, despite issuance of legal notice dated 01.05.2025 (Annexure P-1) through registered post vide postal receipts dated 01.05.2025 (Annexure P-2). Further, respondent No.2 may also be directed to recover the same from respondents No.4 to 6 as damages under the provisions of Section 14-B along with interest @ 12% per annum as provided under Section 7-Q of The Employees' Provident Funds and Miscellaneous Provisions Act, 1952, as the respondents No.4 to 6/employers are avoiding the payment of provident fund as well as grant of the benefits of Life Insurance to the petitioners/employees from the day of their joining dates intentionally and knowingly, despite receiving legal notice and being having knowledge regarding their liability as provided/imposed under the provisions of Sections 6 & 6-C of the Act. Further, respondent No.2 may also be directed to take legal action against the respondents No.4 to 6 under Section 14/14A of the EPF & MP Act, 1952 read with para 76 of the Employees' Provident Funds Scheme, 1952 & Para 8-A of the Employees' Deposit-Linked Insurance Scheme, 1976, who have failed to comply with the provision of Sections 6 & 6-C of the aforesaid Act, whereas the benefits of provident fund has already been granted to similarly situated employees of DHBVN, District Fatehabad, Mahendragarh and Hisar in accordance with the assessment of respondent No.2, and as such, the petitioners who are the employees of UHBVN establishment, which is the subsidiary of HVPN & DHBVN, have also become entitle to get the



same benefits on the basis of equality, as provided under Articles 14 & 16 of Constitution of India.

2. Learned counsel for the petitioners submits that he would be satisfied if the legal notice dated 01.05.2025 (Annexure P-1) of the petitioners is decided by respondent No.2 by passing a speaking order in a time bound manner.

3. Learned State counsel, appearing on advance notice, submits that he has no objection, in case a direction is issued to the respondent No.2 for time-bound consideration and decision of the legal notice dated 01.05.2025 (Annexure P-1) of the petitioners by passing a speaking order.

4. Therefore, in view of the limited prayer made by learned counsel for the petitioners, respondent No.2 is directed to consider the legal notice dated 01.05.2025 (Annexure P-1) of the petitioners and pass a speaking order, after affording an opportunity of hearing to the petitioners, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioners. Needless to say, if the petitioners are found entitled to the relief sought, the same shall be granted forthwith by respondent No.2.

5. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

21.08.2025

yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No