



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

CWP-36907-2019

Date of decision: 04.12.2025

M/s CAG Engineering Ltd.

....Petitioner

Versus

Employees Provident Fund Organization and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Sonia G. Singh, Advocate,
for the petitioner.

Mr. Rajesh Hooda, Advocate,
for respondents No.1 and 3.

Mr. A.PS. Sehgal, Advocate,
for respondent No.2.

KULDEEP TIWARI, J. (Oral)

1. Through the instant writ petition, as cast under Articles 226/227 of the Constitution of India, the petitioner-Company prays for issuance of a Writ of Certiorari to quash the letter dated 13.12.2019 (Annexure P-14), for recovery of arrears of Rs.9,10,326/-. Further, a writ of Mandamus is also sought for, commanding the respondent-Bank to make the bank account(s) of petitioner, as captioned in the writ petition, functional/operational, and to allow it to utilize the amount lying therein, for day to day expenses.

2. A Coordinate Bench, on 09.01.2020, had passed the following order:-

*“Present application has been filed by the petitioner-
M/s CAG Engineering Limited, inter alia, praying for
irections to the respondents to refund amount of
Rs.9,45,898/- and also to allow the petitioner to operate the*



bank accounts. It has also been prayed that the time granted by this Court to get an FDR may be extended. On 9.12.2019, this Court had passed the following order:-

'Petitioner-CAG Engineering Limited, Kurali, Mohali has filed the present writ petition inter alia with the prayer to quash the impugned letter dated 13.12.2019 (Annexure P-14). It has been further prayed that a direction be issued to the respondents to make the bank accounts (so mentioned in the prayer clause of the petition), functional/operational and to allow the petitioner to use the amount in the bank for day to day expenses of the industry. The alleged amount, mentioned in the letter, to be recovered, is stated to be Rs. 9,10,326/- (rupees nine lakhs ten thousand three hundred and twenty six rupees only). The petitioner undertakes to get an FDR made in petitioner's name for Rs. 9,00,000/- (rupees nine lakhs only). The petitioner would also give an undertaking that the said FDR will not be en-cashed till further orders by this Court. The FDR shall be deposited with the Registry of this Court within a period of one week from today.

Notice of motion for 17.03.2020.

In the meanwhile, operation of the impugned letter (Annexure P-14) is stayed. It is further clarified that the concerned bank shall permit the petitioner to operate its accounts.'

It is submitted by learned counsel for the petitioner that after the passing of the order dated 19.12.2019, Rs.9,45,898/- has been withdrawn towards Regional Provident Fund Commissioner (Wing-B)-respondent No.1 on 24.12.2019.

This Court is of the view that in order to keep rights of the party alive till the matter is finally decided by this Court, respondent No.1 i.e. the Regional Provident Fund Commissioner (Wing B), who is stated to have received Rs.9,45,898/- on 24.12.2019, is directed to keep the said amount in the form of an FDR to await further



directions/orders of this Court. Since the order dated 13.12.2019 (Annexure P-14) refers to an amount of Rs. 9,10,326/- to be recovered, this Court directs that in peculiar facts and circumstances of the above case, the respondent No.2-Bank is directed to permit the petitioner to operate its accounts forthwith in continuation of the order dated 19.12.2019.

Adjourned to 17.03.2020, the date already fixed.”

3. At the outset, learned counsel for respondents No.1 to 3, submits that the amount, which was recovered from the petitioner, is lying deposited in the form of FDR, in terms of the direction (supra), and the bank account(s) of the petitioner have already been made operational/functional. Further, the petitioner has also preferred an appeal before the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh, which is pending consideration. Therefore, no purpose would be served by keeping this petition pending, and the same may be disposed of, as such.
4. In response, learned counsel for the petitioner submits that she has no objection in case the instant writ petition is disposed of, in terms of the statement made by learned counsel for respondents No.1 to 3.
5. In the wake of the above, the instant writ petition is **disposed of**, with the observation that the amount in question, which is lying deposited in the form of FDR, shall be subject to the outcome of the appeal preferred by the petitioner (supra).

(KULDEEP TIWARI)
JUDGE

04.12.2025
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No