



2025:DHC:4858



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 27.05.2025

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W.P.(C) 4902/2019, CM APPLs. 33144/2025, 33207/2025

M/S UNITED NEWS OF INDIA

.....Petitioner

Through: Ms. Shruti Munjal, Advocate

versus

ASSISTANT PROVIDENT FUND COMMISSIONER, NORTH

.....Respondent

Through: Mr. B. B Pradhan and Mr. Himanshu Rai, Advocates

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

TARA VITASTA GANJU, J.: (Oral)

CM APPL. 33207/2025*[Application seeking disposal of the Writ Petition]*

CM APPL. 33144/2025*[Application seeking release of amount]*

1. The CM APPL. 33207/2025 is an Application filed on behalf of the Petitioner seeking disposal of the present Writ Petition.
2. Briefly the facts are that the Petitioner had filed the present Petition seeking quashing of the order dated 15.02.2019 [hereinafter referred to as the "Impugned Order"] passed by the Respondent, whereby interest was levied under the provisions of Section 7Q of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 [hereinafter referred to as the "EPF Act"] on belated remittances made by the Petitioner to its Provident Fund. Additional pleas were also sought by the Petitioner in the present petition.



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3. By an order dated 29.05.2019, a Coordinate Bench of this Court had passed a direction staying the operation of the Impugned Order after adjustment of Rs.10,00,000/- already deposited with the Respondent and had directed that the Petitioner deposit 50% of the demand raised by the Respondent.

3.1 The amounts were subsequently, deposited by the Petitioner.

4. It is the case of the Petitioner that during the pendency of this Petition, the Petitioner/Company was admitted to insolvency under the provisions of Insolvency and Bankruptcy Code, 2016. Pursuant to these proceedings, claims were invited from all the creditors including the Respondent and the Corporate Insolvency Resolution Process of the Petitioner/Company was initiated. The Respondent filed its claim in the sum of Rs.16,22,83,279/- which claim was admitted by the Resolution Professional (RP) appointed by the National Company Law Tribunal [hereinafter referred to as the “NCLT”].

4.1 The Statesman Limited alongwith other applicants submitted a resolution plan with the Resolution Professional, which resolution plan was approved by the NCLT by order dated 12.02.2025 captioned ***“United News of India Workers’ Union v. United News of India & Ors.”*** in C.P.(IB) - 764/ND/2022.

4.2 This resolution plan was challenged by one of the Creditors by filing an Appeal before the National Company Law Appellate Tribunal [hereinafter referred to as the “NCLAT”].

4.3 The appeal was dismissed and the resolution plan submitted by the



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Statesman Limited was approved by the NCLAT by order dated 01.05.2025 captioned ***“T.C.A. Surveyors & Advisors Pvt. Ltd. v. Pooja Bahry, Est. RP for United News of India & Ors.”*** in Company Appeal (AT) (Insolvency) No. 553 of 2025.

4.4 Subsequently by the approved Resolution Plan, the Petitioner/Company has been taken over by the Statesman Limited. Pursuant to this takeover, the dues of the Respondent have been paid on 02.05.2025 in the sum of Rs.16,22,83,279/- on behalf of the Petitioner.

4.5 Learned Counsel for the Petitioner thus submits that the grievance of the Respondent stands satisfied and thus the challenge to the Impugned Order no longer remains, and thus, the Impugned Order as well as all proceedings emanating therefrom should be set aside in view of the settlement of the claims of the Respondent.

5. The Petitioner has also filed an Application being CM APPL. 33144/2025 seeking release and refund of the amount deposited in terms of the Order dated 29.05.2019.

6. Learned Counsel appearing on behalf of the Petitioner submits that since the claims of the Respondent stands satisfied, the amounts deposited with this Court be directed to be released to the Applicant/Petitioner.

7. Issue Notice.

7.1 Learned Counsel appearing on behalf of the Respondent accepts Notice and on instructions confirms that the amounts as have been set out in paragraph 10 of the CM APPL. 33144/2025 have been received by the Respondent. He further submits that he has no objection if the prayers made



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in both these Application are allowed.

8. Accordingly, and in view of the settlement, the Impugned Order dated 15.02.2019 passed by the Respondent levying interest under Section 7Q of the EPF Act and all summons emanating therefrom are set aside, in view of the payments made by the Petitioner, which have been confirmed by the Respondent.

9. Accordingly, the amounts as deposited by the Petitioner with the Registry of this Court in pursuance of order dated 29.05.2019 inclusive of up to date interest, if any, shall stand released and refunded in favour of the Petitioner.

10. The Petition is disposed of in the foregoing terms. All pending Applications stand closed

11. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MAY 27, 2025

g.joshi/pa

Click here to check corrigendum, if any