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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 291/2010**
PROFESSIONAL ASSISTANCE FOR DEVELOPMENT ACTION

.....Appellant

Through: Mr. Sumant De, Mr. Rohit Kumar
Singh and Ms. Shweta Priyadarshini,
Advs.

versus

REGIONAL PROVIDENT FUNDS COMMISSIONER

.....Respondent

Through: Mr. Kaushik Kumar Dey, Adv.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

22.01.2025

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1. After some arguments, the learned counsel appearing for the appellant seeks to withdraw the present appeal with liberty to file representation before the respondent/Department in respect of any of the outstanding dues/liabilities prior to the year 2009.
2. We note that the principal question that fell for consideration of the Court in the writ petition filed by the petitioner being W.P.(C) No.2954/1999 — which was disposed of *vide* order dated 25.02.2010 impugned in this appeal — was whether the appellant is an organization that is covered under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.
3. The learned counsel appearing for the appellant submits that the said question is not an issue anymore. However, he submits that the appellant would like to persuade the respondent/department regarding any dues/liabilities prior to the year 2009.



4. We also note that the learned Single Judge had made observations to the effect that since the matter was subjudice before the Court, the question whether the petitioner would be liable for any penalty of prosecution may not arise.

5. The present appeal is dismissed as withdrawn with liberty to the appellant to make a representation to the respondent/Department with regard to its past dues/ liabilities prior to the year 2009.

VIBHU BAKHRU, J.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 22, 2025/R

Click here to check corrigendum, if any