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

+ **W.P.(C) 17949/2024**

SAR ENGINEERS

.....Petitioner

Through: Mr. Narender Singh & Mr. Sandesh
Kumar Jha, Advocates.

versus

ASSISTANT PF COMMISSIONER

.....Respondent

Through: Mr. Rajesh Kumar, Standing Counsel.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

09.01.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

1. The petitioner has sought following relief:

“(a) To direct and restrain the Respondent from making any recovery of the amount from the assessment orders dated 22.06.2023 under Section 7Q and 14B until the waiver application under Section 70 and the plea for interim relief are heard and decided by the Ld. Tribunal or;

(b) Issue any other writ/ direction/ order in favour of the applicant considering the facts & circumstances and in the interest of justice; and/or

(c) Any other relief that this Hon'ble Court may deem fit and proper may also be awarded in favour of the appellant in the facts and circumstances of the case.”

2. Learned counsel for respondent appearing on advance intimation objects to the maintainability of this writ petition in view of pendency of appeal and the application under Section 7-O of the Employees' Provident Funds & Miscellaneous Provisions Act.

3. After addressing partly, learned counsel for petitioner seeks



permission to withdraw this petition with liberty to press his application under Section 7-O of the Act before the Tribunal.

4. Accordingly, the petition is dismissed as withdrawn with liberty as sought. The learned Tribunal is requested to dispose of the application under Section 7-O of the Act expeditiously and positively within four weeks from the date when copy of this order is placed before the Tribunal by the present petitioner.

GIRISH KATHPALIA, J

JANUARY 9, 2025/ry

[Click here to check corrigendum, if any](#)