

11.03.2026
Item No.06
Ct. No. 30
BR

WPA 5031 of 2026

**The 3 Guys Network Private Ltd.
Vs.
Union of India and Ors.**

Mr. Pratik Samajpati

... for the petitioners

Mr. Bikash Shaw

..... for the respondent no. 3 and 4

Mr. Subhankar Chakraborty

Mr. Ashok Halder,

Ms. Sayani Gupta,

Mr. Atindra Rai

... for the Union of India

Mr. Avijit Tewary

... for the respondent no. 2

1. The writ application has been preferred challenging an order dated 29.5.2024 and certificate of arrear under Section 8 of the Employees' Provident Fund Organisation and Miscellaneous Provisions Act, 1952 dated 08.04.2025 certifying arrears and notice of demand to the defaulter dated 29.04.2025 as well as show cause notices both dated 20.02.2026 as to why warrant of arrest should not be issued.

2. It is submitted by the learned counsel for the EPF Authority that the impugned order is appealable and as the same was passed on 29.5.2024 and the same is barred by limitation.

3. Relying upon the judgment of the Hon'ble Supreme Court passed in ***Assistant Commissioner (CT) and Ors. -vs-Glaxo Smith LeClean Consumer Health Care Ltd. (2020) 19SCC 681 (para 19)*** submits that such delay in these cases cannot be condoned.

3. Learned counsel appearing for the petitioner submits that he does not intend to prefer an appeal, as he has accepted the impugned order. His only prayer before this Court is that the petitioner's prayer by way of an application dated 14th October, 2025 and 24th December, 2025 have been ignored by the respondent no. 3 herein.

4. The petitioner only prays for early installments to pay the balance amount due.

5. It is submitted that a sum of about Rs.50 lakhs and odd is outstanding at present .

6. Considering the same and in the interest of justice, the writ application is disposed of with the direction that the petitioner herein shall pay the balance amount **in three equal installments. Fraction, if any, shall be paid along with the last installment.** The first installment is to be paid by 10th of April, 2026 and the

subsequent installments by 10th of May and 10th of June, 2026 respectively.

7. Considering the relief granted to the petitioner herein, the notices dated 20.2.2024 to show cause as to why the warrant of arrest shall not be issued, be stayed till 20th June, 2026.

8. It is made clear that in case the petitioner does not comply with the directions of this Court in this order, in respect of the payments as specified, the respondent no. 4 shall be at liberty to proceed in the present case in accordance with law.

9. WPA 5031 of 2026 stands disposed of.

10. Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)