

15.05.2026
Item No.8
Court No. 30
Aloke

WPA 7486 of 2021

Swadhin Kumar Das

-vs-

Union of India & Ors.

Mr. Debajuj Basu Thakur
... for the petitioner

Mr. Debashis Saha
Mr. Avirup Roy Sanyal
Ms. Sucheta Pal
Mr. Jyotishman Sarkar
... for the respondent/SBI

Mr. Anil Kr. Gupta
... for the P.F. Authority

Mr. Raj Kumar Gaurisaria
Ms. Debangana Dey
Ms. Sabita Roy
... for the UOI

1. In view of the brief history filed by the learned counsel for the respondent/P.F. Authority dated 27.09.2021, it appears that the authority has stated as follows :

“Further, the establishment was submitted a letter dated 20.01.2020 enclosing a Demand Draft bearing no.382008 dated 26.12.2019 amounting Rs.1,73,109/- for payment of interest u/s 7Q of EPF & MP Act,

1952 without raising any objection. However, as per direction of the Assessing Officer, 14B order bearing no. WB/DGP/0042568/Enf 501/Damages/5695 (i) dated 20.01.2021 (copy enclosed) was issued incorporating the facts of the case including dues deposition details and directed the establishment to deposit the same in respective heads of Accounts or through demand draft in favour of Regional Provident Fund Commissioner, Durgapur within 15 days of receipt of the order. The establishment failed to deposit the assessed dues within stipulated time hence 8f notice bearing no. WB/DGP/0042568/Enf 501/Damages/5779 dated 17.02.2021 issued to Branch Manager, SBI, Sanctoria Branch to deposit the outstanding dues from establishment's Credit account. Further, Branch Manager of SBI Bank has forwarded a letter bearing no. BM/2020-21/72 dated 24.02.2021 enclosing a demand draft bearing no. 720582 dated 25.02.2021 for amounting

Rs.3,54,312/- in response to 8f order”.

- 2.** It is thus submitted that the entire payment has been recovered from the petitioner and now the petitioner's writ application has become infructuous.
- 3.** Learned counsel for the petitioner submits that the petitioner has not willingly deposited the said amount but the same has been recovered by the P.F. Authority.
- 4.** Considering the said submission, the cause of action shall be different and the petitioner has to file a fresh application. But in the present application as the payment has already been recovered, the writ application being infructuous stands disposed of.
- 5.** Report be made part of the record.
- 6.** WPA 7486 of 2021 stands disposed of as 'infructuous'.
- 7.** Connected application, if any, stands disposed of.
- 8.** Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)