

18.05.2026
Item No.18
Court No. 30
MKP

WPA 10511 of 2026

**S.B.Cold Storage Industries Private
 Limited**
-vs-
**The Regional P.F. Commissioner And
 Anr.**

Mr. Swarup Paul
 Mr. Anish Roy
 Mr. Guru Saday Dutta
 for the Petitioner

Mr. Avijit Tewary
for the Respondent/P.F.Authorities

1. Supplementary affidavit as per leave granted is filed.
2. Copy served as directed by this Court vide its order dated 07.05.2026.
3. The petitioner has prayed for amendment in his appeal before the tribunal challenging also the order under Section 7Q of the E.P.F.Act in addition to his appeal challenging an order under Section 14B of the E.P.F.Act.
4. Considering the said fact and on hearing the Learned Counsels for the parties, the fact that the petitioner's appeal was preferred and filed on 28.01.2026 before the Central Government Industrial Tribunal Cum Labour Court and the

respondents have notice of the said appeal, but have still proceeded to issue a recovery notice on 24.04.2026, in spite of having knowledge that the petitioner's appeal could not be heard, as the Tribunal does not have a regular/permanent Presiding Officer.

5. Accordingly, considering the said conduct, the recovery notice dated 24.04.2026, is hereby stayed and the respondents authorities are directed not to take any coercive action against the petitioner till the appeal and the stay application is taken up by the Tribunal for consideration.
6. The writ application stands **disposed of**.
7. Applications, if any, connected thereto stand disposed of consequently.
8. Interim order, if any, stands vacated.
9. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

(Shampa Dutt (Paul), J.)