

JPD 1
09.02.2026
Court. No. 25
Suvayan

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

WPA 181 of 2026

**Jalpaiguri Municipality
Vs.
The Regional Provident Fund Commissioner-II,
Jalpaiguri**

*Mr. Bikramaditya Ghosh
Mr. Sudipta Nayan Ghosh*

...for the petitioner.

1. The affidavit-of-service filed by the learned counsel for the petitioner be kept with the record
2. The petitioner has filed the present writ application being aggrieved with the prohibitory orders dated January 28, 2026 and February 2, 2026 issued by the Central Bank of India, Jalpaiguri Branch, IDBI Bank, Jalpaiguri Branch, HDFC Bank, Jalpaiguri Branch and Punjab National Bank, Jalpaiguri Branch.
3. Mr. Ghosh, learned advocate appearing for the petitioner submits that the Regional Provident Fund Commissioner-II, Regional Office, Jalpaiguri has issued prohibitory orders to the respective Banks for attachment of the account of the Jalpaiguri Municipality on account of the dues in terms of the calculation made under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952. Mr. Ghosh submits that as per the total demand of the authority of Rs. 1,16,01,154/- out of which the Municipal authorities have already paid an amount of Rs. 30,55,080/- on February 2, 2026 and further

amount of Rs. 53,18,424/- on January 27, 2026. He further submits that the Municipal authorities ready to pay the said amount but he prays for benefit of the scheme dated February 11, 2014 in paying 72 installments. He further submits that the Regional Provident Fund Commissioner have issued the prohibitory order without giving an opportunity of hearing and if opportunity is given to the Municipality within three days the authorized officer shall appear before the Regional Provident Fund Commissioner.

4. Learned counsel for the petitioner has also relied upon the unreported orders passed by the co-ordinate Bench of this Court in *WPA 1011 of 2022 (Nuddea Plantations and Anr. vs. Regional Provident Fund commissioner & Ors.)* dated May 10, 2022, *WPA 2523 of 2021 (Roshanlal Agarwal & Anr. vs. the Regional Provident Fund Commissioner, Jalpaiguri & Ors.)* dated December 21, 2021 and *WPA 2678 of 2024 (Authentic Tea Private Limited vs. Regional Provident Fund Commissioner, Jalpaiguri, West Bengal & Ors.)* dated January 10, 2025. He submits that in the similar circumstances the co-ordinate Bench of this court has allowed the petitioner to pay the dues amount in installment as per the Scheme along with the current dues month by month and directed the authorities not to take any coercive action.

5. He further submits that in the present case also the Municipality has already paid the certain amount and the remaining amount is dues and the petitioner has already paying the current dues month by month without fail. He further submits that one opportunity is given to the petitioner for personal hearing, the representative of the petitioner will appear before the authority.
6. Heard the learned counsel for the petitioner perused the materials on record, the impugned order issued by the Regional Provident Fund authority and the unreported order passed by the co-ordinate Bench of this Court.
7. Considering the above, this Court finds that no purpose will be served by keeping the writ petition is pending.
8. Accordingly, the writ petition is disposed of by giving liberty to the petitioner to make representation before the Regional Provident Fund Commissioner within a week from date and if any representation is filed the Provident Fund authority shall pass appropriate order by giving an opportunity of hearing to the petitioner. Till the final order is passed by the Provident Fund authority, the Bank is directed to release the attachment of the bank account of the petitioner and to allow the petitioner to operate the bank account of the petitioner. It is made clear if the petitioner will not make any representation or failed to appear before the

authority, the Provident Fund authority is at liberty to take appropriate steps for attachment of the account of the petitioner for recovery of the amount.

9. WPA 181 of 2026 is disposed of.
10. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Krishna Rao, J.)