

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

107

CWP-27518-2017

Date of Decision : May 15, 2026

PUNJAB TRACTOR LIMITED

-PETITIONER

V/S

EMPLOYEES PROVIDENT FUND ORGANISATION AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Pawan Kumar Mutneja, Sr. Advocate, with
Mr. Viranjeet Singh Mahal, Advocate
for the petitioner.

Mr. Rajesh Hooda, Advocate
for the respondents.

KULDEEP TIWARI, J. (ORAL)

1. The instant writ petition assails the order(s)/recovery notice(s) dated 20.09.2017, 25.09.2017 and 06.11.2017, appended as Annexures P-5 to P-7 respectively.

2. At the very outset, it is apprised to this Court that during the pendency of the writ petition, the petitioner has succeeded in the statutory appeal, and the order passed by the authority under Section 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, pursuant to which the impugned recovery notice(s) came to be issued, has since been set aside.

3. Learned senior counsel appearing for the petitioner fairly submits that the amount recovered pursuant to the impugned recovery notice(s) has already been refunded to the petitioner. He, however, submits that the respondent-authority, without awaiting exhaustion of the

petitioner's statutory remedy of appeal, proceeded to effect recovery and retained the recovered amount without authority of law. It is, therefore, contended that the petitioner is entitled to interest on the said amount for the period it remained under retention of the respondent-authority.

4. In view of the supervening events, this Court is of the considered opinion that the substantive relief sought in the writ petition, namely setting aside of the impugned order(s)/recovery notice(s), no longer survives for adjudication, the same having already been set aside by the appellate authority and the recovered amount having also been refunded to the petitioner.

5. Insofar as the petitioner's claim for interest on the amount recovered and retained by the respondent-authority is concerned, the petitioner is always at liberty to avail appropriate remedies, in accordance with law, before the competent forum/court.

6. **Disposed of accordingly.**

May 15, 2026
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No