HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 3434 of 2026

05 November, 2026

M/s Genus Power Infrastructures ltd. --Petitioner

Versus

State Of Uttarakhand and others --Respondents

Presence:-

Mr. Eshan Sachdeva, learned counsel for petitioner through V.C.

Mr. Vijay Khandoori, learned Brief for the State of Uttarakhand/respondent No.1 to 4.

Mr. Hari Mohan Bhatia, learned counsel for respondent No.5.

Hon'ble Pankaj Purohit, J.

By means of the present writ petition, the petitioner has sought the following reliefs:-

(i) Issue an appropriate writ, order or direction, to quash the impugned Recovery Certificate dated 07.09.2026 (annexed at Annexure No.1, at page no. 17) issued by respondent no.2, whereby an amount of Rs. 50,56,758/- has been directed to be recovered from the petitioner, as illegal, arbitrary and unlawful, particularly when the statutory appeal preferred by the petitioner against the assessment order dated 05.12.2025 is still pending adjudication before the learned Appellate Authority/Labour Commissioner, Uttarakhand, at Haldwani.

(ii) Issue an appropriate writ, order or direction to quash the impugned Citation to appear dated 06.10.2026 (annexed as Annexure No.2 at page no. 18 to 19) issued by respondent no.4 as illegal, arbitrary and unlawful, being issued in furtherance of the impugned

Recovery Certificate dated 07.09.2026, during the pendency of the statutory appeal preferred by the petitioner.

(iii) Issue an appropriate writ, order or direction in the nature of mandamus directing the respondents not to initiate or proceed with any coercive recovery proceedings against the petitioner in pursuance of the assessment order dated 05.12.2025 and the impugned Recovery Certificate dated 07.09.2026 till the final adjudication of Appeal No. 29 of 2026 pending before the learned Appellate Authority/Labour Commissioner, Uttarakhand, at Haldwani.

(iv) Issue an appropriate writ, order or direction, directing the learned Appellate Authority/Labour Commissioner, Uttarakhand, at Haldwani, to decide the pending Appeal No. 29 of 2026 expeditiously, in accordance with law.

2. Learned counsel for the petitioner submits that the present matter is squarely covered by the judgment and order dated 31.10.2026 passed by this Court in WPMS No. 3316 of 2026 Rudrapur Institute of Technology vs. State of Uttarakhand and others and the present matter can be decided in terms of the aforesaid judgment .

3. This fact is not disputed by learned counsel for State and counsel for respondent No.4-Uttarakhand Building and Other Construction Workers' Welfare Board.

4. In view of the above, this writ petition is disposed of in terms of judgment and order dated 31.10.2026 passed by this Court in WPMS No. 3316 of 2026 Rudrapur Institute of Technology vs. State of

Uttarakhand and others. Learned Appellate Authority i.e. Labour Commissioner, Uttarakhand, is directed to consider and decide petitioner's interim relief application made in appeal as expeditious as possible but not later than thirty days from today.

5. Learned counsel for respondent No.4-Uttarakhand Building and Other Construction Workers' Welfare Board made a submission before this Court that till the interim relief prayer of petitioner is considered by the Appellate Authority, no recovery shall be made from the petitioner.

6. Pending application, if any, stands disposed of.

(Pankaj Purohit, J.)
05.11.2026

Nahid