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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC011912272016**

\+ W.P.(C) 7337/2016 & CM APPL. 30230/2016

M/S SYNERGY SYSTEMS .....Petitioner

Through: None.

versus

ASSISTANT P.F. COMMISSIONER
DELHI (N) & ANR .....Respondents

Through: Mr. Saurabh Kansal, Ms. Pallavi Sharma Kansal, Mr. Suraj Kumar Jha, Mr. Raghav Vij, Ms. Vanshika Kapoor, Mr. Pratham Malik, Ms. Sakshi Tiwari, Mr. Ritul Sharma, Mr. Manish Kr., Advs.
Mr. Bhagvan Swarup Shukla, CGSC with Mr. Mukesh Kumar Pandey, Ms. Saumya Srivastav, Advs. for R-2/UOI.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

O R D E R

% 28.10.2026

1. This hearing has been done through hybrid mode.

2. The present petition filed under Article 226 and 227 of the Constitution of India, 1950, seeks the following prayers: -

> "(i) Issue writ of certiorari and/or other appropriate writs thereby quashing the impugned order dated 04.07.2016 passed by the Ld. Employees Provident Fund Appellate Tribunal, New Delhi in ATA No. 629 (4) 2016 titled as Synergy Systems vs. APFC, Delhi (N), thereby, in facts and circumstances, quashing the original order dated 04.12.2014 read with revised order dated 26.03.2015 further read with

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the Recovery Certificate No. DL/Dam- 11/16611/55 dated 17/04/2015 and any other or subsequent recovery certificates passed and raised by the Respondent No. 1; or

(ii) Issue writ of certiorari and/or other appropriate writs thereby quashing the impugned order dated 04.07.2016 passed by the Ld. Employees Provident Fund Appellate Tribunal, New Delhi in ATA No. 629 (4) 2016 titled as Synergy Systems vs. APFC, Delhi (N), thereby condoning the delay in filing the Appeal bearing ATA No. 629 (4) 2016 titled as Synergy Systems vs. APFC, Delhi (N) before Ld. Employees Provident Fund Appellate Tribunal, New Delhi and directing the Appellate Tribunal to dispose of the said Appeal on merit and upon the pleadings/prayer as made by the Petitioner in the said Appeal.

(iii) pass any other and further order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

3. *Vide* order dated 07.10.2026, this Court had passed the following order:-

"3. *Vide* order dated 26.04.2017, learned Predecessor Bench of this Court passed the following order: -

"Issue notice. Leamed counsels for the respondents accept notice.

Subject to deposit of Rs.9,38,390/- in terms of the demand recorded in the letter dated 26th February, 2015 (Annexure P7) by the petitioner with the Registrar General of this Court within four weeks, the respondent shall not take any coercive action against the petitioner.

Learned counsel for the petitioner submits that the petitioner has deposited Rs.6,45,390/- against the demand of Rs.9,38,390/-. The petitioner is permitted to adjust the payment made against the demand dated 26th February, 2015 subject to the affidavit along with the proof of payment being filed within one week from today. List for

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directions on 30th May, 2017."

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5. *Vide* order dated 21.09.2026, this Court had sought a report from the Registry with regard to the exact amount including the interest deposited before this Court on behalf of the petitioner.

6. Registry has forwarded the report, wherein it has been stated that no amount has been deposited in the present case by the petitioner.

7. Learned counsel appearing on behalf of the petitioner submits that he has no instruction from the latter as he has passed away in January, 2026 and he seeks to withdraw his *vakalatnama* from the present petition. Let the same be done.

8. Issue court notice without process fee to the petitioner through all permissible modes including electronic mail, if any, returnable on 28.10.2026.

9. In the meantime, the respondent shall place on record the exact amount of money deposited by the petitioner with them by way of a status report."

4. Previous counsel appearing on behalf of the petitioner, on the last date of hearing, had submitted that he had received no instructions from the latter, as the proprietor of the petitioner-propritership concerned had passed away in January, 2026; however, no document in support of the same had been placed on record.

5. In pursuance of the aforesaid order, respondent no. 1 has placed on record a status report dated 26.10.2026, wherein it has been stated that the petitioner has deposited a total amount of Rs. 4,57,569/- with the said respondent. The details demonstrating the said amount has been provided in

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the status report and it is stated that an outstanding amount of Rs. 2,92,677/- still remains to be paid, including cost and charges.

6. On the last date of hearing, *i.e.,* 07.10.2026, Court notice was issued to the petitioner returnable for today, and the report with regard to the same has come back un-served with the remarks ***"LEFT"***

7. Thus, the whereabouts of the petitioner are not known, and as per the statement made by the previous counsel appearing on behalf of the petitioner, the proprietor of the petitioner has passed away.

8. No application has been moved on behalf of the petitioner to bring on record the legal representatives of the latter.

9. In view of the above, the present petition stands abated and disposed of accordingly.

10. Pending application(s), if any, also stand disposed of.

11. Interim order dated 26.04.2017 passed by the learned Predecessor Bench of this Court stands vacated.

12. Order be uploaded on the website of this Court, *forthwith.*

AMIT SHARMA, J

OCTOBER 28, 2026*/kr/ns/db*

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