

[3207]

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY, THE FIRST DAY OF APRIL,
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

WRIT PETITION NO: 6252 OF 2026



Between:

1. M/s. Vaibhav Cinemas, Rep by its Managing Partner namely V.Hari Krishna S/o. Late Veera Raghava Rao, Sai Srinivasam Apartment Flat No. 302, 3rd Line, Ashok Nagar, Guntur-522 007, A.P. State.
2. V.Hari Krishna, Managing Partner of M/s. Vaibhav Cinemas, Sai Srinivasam Apartment, Flat No. 302, 3rd Line, Ashok Nagar, Guntur-522 007, A.P. State.

Petitioners

AND

1. The Central Provident Fund Commissioner, E.P.F organization, Plate A, Ground Floor, Office Block-II, East Kidwai Nagar, New Delhi-110023
2. The Regional Provident Fund Commissioner E.P.F.Organization Regional office, Krishna Nagar Guntur-522006, Guntur District, A.P State.
3. The Recovery Officer, E.P.F.Organization Regional Office, Krishna Nagar, Guntur-522006, Guntur District, A.P State.
4. N.Prem Lal A.O (Squad for recovery), E.P.F.Organization Regional office, Krishna Nagar, Guntur-522006, Guntur District, A.P State.
5. The Management, Karthikeya Cine Enterprises, Guntur, Rep by its Managing Partner namely Kothuri Ramesh Babu S/o. K. Sambasiva Rao (Late), Door No. 9-6-5, 2nd Floor, Motupallivari Garden, Railpet, Guntur-522 001, A.P. State.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order direction more particularly one in the nature of Writ of mandamus declaring that the impugned proceedings No's (1) AP/RO/GNT/REC/49722/Z-2/2025/276 dated 25.11.2025 of 3rd respondent and also (2) impugned proceedings AP/RO/GNT/REC/49722/Z-2/2025/278 dated 28.11.2025 of 3rd respondent, and also (3) impugned proceedings AP/RO/GNT/REC/49722/Z-2/2025/12 dated 19.12.2025 of 3rd respondent, in demanding the petitioners herein to pay an amount of Rs. 12,50,264-00 towards penal damages u/s 14-B of E.P.F and M.P Act, including Rs.550-00, towards recovery charges of penal damages amount, for the period from 03/2008 to 06/2016, which are payable by the 5th respondent herein, is highly illegal, arbitrary and unconstitutional one and set aside the same holding that the petitioners are nothing to do with the alleged payment of penal damages of Rs. 12,50,264-00 and the petitioner herein are not liable to pay the said penal damages amount of Rs. 12,50,264-00 to the respondents No's 2 to 4;

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay against the impugned proceedings No's (1) AP/RO/GNT/REC/49722/Z-2/2025/276 dated 25.11.2025 of respondent and also (2) impugned proceedings AP/RO/GNT/REC/49722/Z-2/2025/278 dated 28.11.2025 of 3rd respondent, and also (3) impugned proceedings AP/RO/GNT/REC/49722/Z-2/2025/12 dated 19.12.2025 of 3rd respondent, in demanding the petitioners herein to pay an amount of Rs. 12,50,264-00 towards penal damages u/s 14-B of E.P.F and M.P Act, which was payable by the 5th respondent to respondents No's 2 to 4, Pending disposal of WP 6252 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI VENKATA RAMA RAO KOTA Advocate for the Petitioner(s), Sri. T. BALAJI,

STANDING COUNSEL, for the Respondent Nos.1 to 4 and the Court made the following.

ORDER

“Learned counsel for the respondents sought time to file their counter affidavit.

Post the matter on 22.04.2026 in Daily List-II.

In the meanwhile, respondents are directed not to take any coercive steps against the petitioners.”

**Sd/-K.J.RAJA BABU,
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

1. THE CENTRAL PROVIDENT FUND COMMISSIONER, E.P.F organization, Plate A, Ground Floor, Office Block-II, East Kidwai Nagar, New Delhi-110023
2. The Regional Provident Fund Commissioner E.P.F.Organization Regional office, Krishna Nagar Guntur-522006 Guntur District, A.P State.
3. The Recovery Officer, E.P.F.Organization Regional office Krishna Nagar Guntur-522006 Guntur District, A.P State.
4. N.Prem Lal A.O (Squad for recovery), E.P.F.Organization Regional office Krishna Nagar Guntur-522006 Guntur District, A.P State.
5. The Managing Partner namely Kothuri Ramesh Babu S/o. K. Sambasiva Rao (Late) The Management, Karthikeya Cine Enterprises, Guntur, Door No. 9-6-5, 2nd Floor Motupallivari Garden, Railpet, Guntur-522 001, A.P. State (by RPAD 1 to 5)
6. One CC to Sri. VENKATA RAMA RAO KOTA, Advocate [OPUC]
7. One CC to Sri. T. BALAJI, STANDING COUNSEL [OPUC]
8. **One spare copy**

TVSR

HIGH COURT

DEV, J

DATED: 01/04/2026

POST THE MATTER ON 22.04.2026 IN DAILY LIST – II.

ORDER

WP.No.6252 of 2026



DIRECTION