

[3459]

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

**TUESDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 23513 OF 2025



Between:

M/s. Lotus Food Plaza(catering), Rep by its Proprietor R. Nageswar Naik, S/o.Venkateswar Naik, Aged about 45 years,H.No.G.2,1st Floor, Ramji Nagar, 1st Street, Opp- Sai baba Temple, Nellore, Nellore District, Andhra Pradesh.

Petitioner

AND

1. The Employees Provident Fund Organisation, Rep by its General Secretary, Ministry of Labour and Employment, Government of India, Delhi.
2. The Regional Provident Fund Commissioner, Having its office at lane V.L Purram, Morampudi Junction, Rajamahendravram, Andhra Pradesh.
3. The Regional P F Commissioner-1, EPFO, Regional Office, Vishakhapatnam.
4. The Assistant E.P.F Officer, E.P.F Organisation, Office of Regional Provident- Fund Commissioner, Rajahmundry, Andhra Pradesh.
5. The Recovery Officer, E.P.F Organisation, office of Regional Provident Fund Commissioner, Rajahmundry, Andhra Pradesh.

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of a Writ of Certiorari or any other appropriate writ order or direction

calling for the records relating to the orders passed by the 2nd Respondent vide proceedings dt.06.12.2024, AP/RO/RJY/46794/PD CELL/RJY-50801/Damages/2024- 2025/777 under Section 7-Q of the Act ignoring the simultaneous order passed under 14-B of the EPF Act vide proceedings No. AP/RO/ RJY/ Recovery/ 46794/ 8F (3) (x)/ 2025/113, dated 18-07-2025 as illegal and quash or set aside the same, pending determination of the above Writ Petition.

IA NO: 1 OF 2025

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 suspend the proceedings No. AP/RO/RJY/Recovery/46794/8F(3)(x)/2025/113, dated 18-07-2025 issued by the 3rd Respondent including the attachment of Bank A/c No.33799917115, SBI, Steel Plant Branch, Visakhapatnam, Pending disposal of WP 23513 of 2025, 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 DEVI PRASAD MANGALAPURI Advocate for the Petitioner, SRI T BALAJI(SC FOR EPFO) for Respondent Nos.1 to 5 and the Court made the following

ORDER

Heard learned Senior Counsel appearing for the petitioner and learned Standing Counsel for the respondents.

There shall be interim suspension of the impugned proceedings vide No.GR/RJY/RECOVERY/46794/2025/112, dated 18.07.2025, subject to the condition of petitioner depositing 50% of the amount shown in the impugned proceedings, within four (4) weeks from today. Failing which, the interim order, stands vacated, without reference to this Court.

Post the matter after four (4) weeks.

//TRUE COPY//

**SD/-U.SRI DEVI
DEPUTY REGISTRAR
SECTION OFFICER**

To,

1. The General Secretary, Employees Provident Fund Organisation, Ministry of Labour and Employment, Government of India, Delhi.
2. The Regional Provident Fund Commissioner, Having its office at lane V.L Purram, Morampudi Junction, Rajamahendravram, Andhra Pradesh.
3. The Regional P F Commissioner-1, EPFO, Regional Office, Vishakhapatnam.
4. The Assistant E.P.F Officer, E.P.F Organisation, Office of Regional Provident- Fund Commissioner, Rajahmundry, Andhra Pradesh.
5. The Recovery Officer, E.P.F Organisation, office of Regional Provident Fund Commissioner, Rajahmundry, Andhra Pradesh. (1 to 5 by RPAD)
6. One CC to SRI. DEVI PRASAD MANGALAPURI, Advocate [OPUC]
7. One CC to SRI. T BALAJI(SC FOR EPFO) [OPUC]
8. **One spare copy**

adp

HIGH COURT

JS,J

DATED:09/12/2025

POST THE MATTER AFTER FOUR (4) WEEKS

ORDER

WP.No.23513 of 2025

INTERIM SUSPENSION

