

(SHOW CAUSE NOTICE BEFORE ADMISSION)**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

THURSDAY, THE NINETEENTH DAY OF OCTOBER

TWO THOUSAND AND TWENTY THREE

:PRESENT:**THE HONOURABLE MRS JUSTICE SUREPALLI NANDA****WRIT PETITION NO: 29599 OF 2023****Between:**

M/s. Institute of Resource Development and Social Management, Flat No.- C101, Satya Apartments, Masab Tank, Hyderabad - 500 028 Rep. by its Chairman, Sri M Qurratulain Hasan, D/o. ST Hasan, aged about 62 years.

Petitioner**AND**

1. The Regional Provident Fund Commissioner -II(C and R), Regional office, Barkatpura, Hyderabad, Telangana.
2. The Assistant Provident Fund Commissioner, (COMPLIANCE-I) cum Authority Under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, Regional office, Barkatpura, Hyderabad, Telangana.
3. EMPLOYEES PROVIDENT FUNDS ORGANIZATION, Rep. by Enforcement Officer, Regional Office, Barkatpura, Hyderabad
4. The Presiding Officer, Central Government Industrial Tribunal, Hyderabad.

Respondents

WHEREAS the Petitioner above named through her Advocate Sri SRIKANTH HARIHARAN presented this 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 or direction more in the nature of writ of mandamus declaring order passed dismissing the appeal No. ATA No.01/2017 - CGIT 2017 (238/2018) dated 03/04/2023, served on the petitioner herein on 22/09/2023 and confirming the Order Sec. 7-A of EPF and MP Act vide No. TS/HYD/RO/82357/Comp-I/T-2/2016/ dt.30/11/2016 for an amount of Rs.52,49,810/- has been passed by the Asst. Provident Fund Commissioner, Complaint-I, RO, Barkatpura, Hyderabad, as wholly illegal, arbitrary, irrational and in gross violation of principles of natural justice, by setting-aside the same;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SRIKANTH HARIHARAN, Advocate for the Petitioner & Sri P MADHUSUDHAN REDDY, SC for Respondents, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Regional Provident Fund Commissioner -II(C and R), Regional office, Barkatpura, Hyderabad, Telangana.

2. The Assistant Provident Fund Commissioner, (COMPLIANCE-I) cum Authority Under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, Regional office, Barkatpura, Hyderabad, Telangana.
3. The Enforcement Officer, Employees Provident Funds Organization, Regional Office, Barkatpura, Hyderabad
4. The Presiding Officer, Central Government Industrial Tribunal, Hyderabad.

are directed to show cause on or before 08.11.2023 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including appropriation of and/or disbursal of any amount pursuant to the orders passed by respondents authority vide No. TS/HYD/RO/82357/Comp-I/T-2/2016/ dt.30/11/2016 for an amount of Rs.52,49,810/- has been passed by the Asst. Provident Fund Commissioner, Complaint-I, RO, Barkatpura, Hyderabad, pending disposal of WP No.29599 of 2023, on the file of the High Court.

The Court made the following: ORDER

Notice before admission.

Heard the learned senior counsel Mr Sri Kanth Hariharan, for the petitioner.

Mr.P.Madhusudhan Reddy, the learned Standing Counsel for EPFO, takes notice on behalf of respondent Nos.1 to 4.

The learned Counsel for the petitioner is permitted to take out personal Notice to respondents through Registered Post acknowledgement due (RPAD) and file proof of service into the Registry.

Post on 08.11.2023.

It the meantime, there shall be stay of all further proceedings including appropriation of, and/or disbursal of any amount pursuant to the orders passed by respondent authority vide No. TS/Hyderabad /RO/ 82357/Comp-I/T-2/2016, dated 30/11/2016 for an amount of Rs.52,49,810/- (Rupees Fifty Two Lakhs Forty Nine Thousand Eight Hundred and ten

rupees only) passed by the Asst. Provident Fund Commissioner, Complaint-I, RO, Barkatpura, Hyderabad for a period of four (4) weeks from today.

//TRUE COPY//

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Regional Provident Fund Commissioner -II(C and R), Regional office, Barkatpura, Hyderabad, Telangana.
2. The Assistant Provident Fund Commissioner, (COMPLIANCE-I) cum Authority Under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, Regional office, Barkatpura, Hyderabad, Telangana.
3. The Enforcement Officer, Employees Provident Funds Organization, Regional Office, Barkatpura, Hyderabad
4. The Presiding Officer, Central Government Industrial Tribunal, Hyderabad.
(for 1 to 4 by RPAD- along with a copy of petition and affidavit)
5. One CC to SRI. SRIKANTH HARIHARAN, Advocate [OPUC]
6. One spare copy

HIGH COURT

SNJ

DATED:19/10/2023

POST ON 08.11.2023

NOTICE BEFORE ADMISSION

WP.No.29599 of 2023

STAY

