

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

: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

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;

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ 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 petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 19.10.2023, 22.11.2023, 19.12.2023 & 23.01.2024 made herein and upon hearing the arguments of M/s. SRIKANTH HARIHARAN Advocate for the Petitioner and SRI. P. MADHUSUDHAN REDDY Advocate for the Respondents, the Court made the following.

ORDER:

Learned counsel appearing on behalf of the petitioner is present.

Learned counsel appearing on behalf of respondents is also present.

At request of learned counsel appearing on behalf of the respondents, for filing counter-affidavit, list on 16.02.2024.

In the meantime, interim order granted by this Court on 19.10.2023, shall stand extended till 16.02.2024.

SD/- B.SARASWATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to M/s. SRIKANTH HARIHARAN, Advocate [OPUC].
2. One spare copy

HIGH COURT

SNJ

DATED: 13.02.2024

LIST ON 16.02.2024

ORDER

WP.No.29599 of 2023

EXTENSION OF STAY

