

HARSHADA H. SAWANT
(P.A.)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST.) NO.31098 OF 2025

The Press Trust of India Limited .. Petitioner
Versus
Employees Provident Fund Organization .. Respondent

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• Mr. Rishi Ashok a/w. Ms. Shweta Kapoor and Ms. Priyanka K.
Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 18, 2025

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 18.09.2025. Perused the praecipe.
- 2.** Heard Mr. Ashok alongwith Ms. Kapoor, learned Advocates for Petitioner.
- 3.** Petitioner is the Press Trust of India Limited. They have received notice dated 22.07.2025 pursuant to show cause notice dated 15.05.2025 and reply filed by Petitioner dated 14.05.2025 and 06.06.2025.
- 4.** Mr. Ashok would submit that opportunity of hearing is not given but the impugned order has been passed after considering reply filed by Petitioner singularly dismissing it as non-satisfactory. He would submit that without assigning any reason or hearing the Petitioner, in complete violation of natural principles of justice, the

impugned order has been passed directing Petitioner to comply with 14 coercive steps delineated in the impugned order and in addition thereto provide an omnibus Past Accumulation Statement of each subscriber as on 31.03.2025 which according to him would date back to more than 60 years ago and threatening to pass orders under Sections 7Q / 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short '**the said Act**').

5. In direct response to the impugned notice, Mr. Ashok would submit that Petitioner in respect of Petitioner's employees has already sought exemption from provisions of the said Act by employing a different provident fund scheme to cover the statutory dues of its employees. He would submit that if the array of 14 conditions stated in the impugned order are seen by the Court, it would be practically impossible for Petitioner to collate the same for the past 50 to 60 years in respect of its employees.

6. Be that as it may he would submit that passing such an order and threatening the Petitioner with passing of order under Sections 7Q and 14B of the said Act for levying interest and damages would be far-fetched and arbitrary in the present case since penalty and damages can only be levied if a *prima facie* case is even made out against Petitioner for non-compliance such is not the case.

7. He would submit that in that view of the matter, the coercive action against Petitioner be protected by this Court and Writ Petition be listed for hearing.

8. After hearing the learned Advocates and perusing the impugned order dated 22.07.2025 appended at page No.53 of the Petition, an arguable case is made out for issuance of notice to Respondent and stay of any coercive proceedings in pursuance to the said order.

9. Hence, issue notice to Respondent. Humdast permitted. In addition to Court's notice, Petitioner is directed to serve the Respondent a copy of this order and copy of Writ Petition and inform about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof.

10. Respondent is directed to take cognizance of what is stated in this order and file its Affidavit-in-Reply before the next adjourned date and serve advance copy on the Advocate for Petitioner.

11. Respondent shall not take any coercive steps pursuant to the order dated 22.07.2025, until the present Petition is heard for admission.

12. Needless to state that directions contained in the impugned order to Petitioner to start compliance as un-exempted unit shall not

come into force in view of this order until the Petition is heard for admission.

13. An endeavour shall be made to dispose of the present Writ Petition at the stage of admission on the next adjourned date which shall be noted by both the parties.

14. Stand over to **13th October, 2025** for hearing and admission.

15. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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