

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.1119 of 2018

Tata Hitachi Construction Machinery Co. Pvt. Ltd.

... .. Petitioner

Versus

Employees Provident Fund Organization, Regional Office, Purulia
Highway, & Ors.

... .. Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Sachin Kumar, Advocate
Ms. Shambhavi Sinha, Advocate

For the Respondent(s): Mr. Rupesh Singh, Advocate
Mr. Arpit Khandelwal, Advocate

17/ 21.04.2026

It is private respondent No.5 – M/s Earth Movers
Consultancy Pvt. Ltd., who is the defaulter.

2. The Employees' Provident Fund Organization (EPFO),
tried to recover the said amount from respondent No.5, through the
petitioner, as a garnishee. The initial order was against respondent
No.5.

3. Now the petitioner's counsel submits that the petitioner –
Company is also entitled to recover a huge amount from respondent
No.5, pursuant to an Arbitration Award and as no amount of
respondent No.5 is lying with the petitioner – Company, the EPFO
cannot recover any amount.

4. On 12.06.2019, notice was directed to be served upon
respondent No.5 through the Superintendent of Police, East
Singhbhum, Jamshedpur, as respondent No.5 – Company, was not
appearing. Pursuant to the said service of notice, through the
Superintendent of Police, the respondent No.5 – Company, appeared

through its Lawyer.

5. Today, learned counsel Mr. Arpit Khandelwal, submits that respondent No.5 stopped communicating with him and in spite of his best efforts, he is also not in a position to communicate with the respondent No.5.

6. Considering the aforesaid submission, let warrant of arrest be issued against respondent No.5 – M/s Earth Movers Consultancy Pvt. Ltd., through the Superintendent of Police, East Singhbhum, Jamshedpur, as respondent No.5 is deliberately and wilfully, with an ulterior motive, evading this Court and rather playing with this Court.

7. The warrant of arrest is made returnable within four weeks.

(ANANDA SEN, J.)

21st April, 2026
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