

Serial No.02
Supp.1 List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 482 of 2024

Date of Order : 17.12.2024

North Eastern Hill University Vs. Employees Provident Fund
Organisation & Ors.

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S.Sen, Adv.

For the Respondent(s) : Ms. P.Bhattacharjee, Adv.
Mr. Z.A.Chowdhury, Adv.

Heard Mr. S.Sen, learned counsel for the petitioner.

Issue notice.

Ms. P.Bhattacharjee, learned counsel is present and accepts notice on behalf of the respondents, so no further notice is called for.

The grievance of the writ petitioner is with the impugned orders both dated 27-11-2024 passed under Section 7Q and 14B, whereby the respondent University has been held liable to pay EPF amounts under Section 7Q, on account of belated remittances.

It is submitted by Mr. S.Sen, learned counsel for the petitioner that the delay in remittance is not attributable to the respondent University, but due to the non-activation of the login code which has resulted in delayed

payments. He submits that as the notices have mandated 15 days' period for compliance, some interim protection be given at this stage.

Ms. P.Bhattacharjee, learned counsel for the respondents at the outset, has raised the question on the maintainability of the writ petition and submits that there is adequate remedy available to the writ petitioner under the statute itself to seek redressal. She therefore, prays that the writ petition be dismissed at this stage itself and directions be issued to the writ petitioner to avail alternate remedy.

I have heard learned counsel for the parties and also perused the writ petition and also the statement showing the amounts payable under 7Q and 14B. If the submission of the learned counsel for the petitioner is correct, the said dues for which delay in remittances have been made, was for the period when the code was not activated. Accordingly, in the interest of justice, till the next date, it is directed that no coercive action will be taken against the University and consequently both the orders dated 27-11-2024 shall not be given effect to until the next date.

Ms. P.Bhattacharjee, learned counsel for the respondents is permitted to file the affidavit by the next date.

List this matter for admission hearing on 19-02-2025.

Judge

Meghalaya
17.12.2024
"Samantha PS"