



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 9742 of 2026

Central Board Of Trustees, Epfo Through The
Assistant Provident Fund Commissioner, Epfo

.....Petitioner(s)

Versus

Central Government Industrial Tribunal Cum Labour
Court Kanpur And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)

: Manas Bhargava

Counsel for Respondent(s)

: Alok Kumar Srivastava

Court No. - 37

HON'BLE VINOD DIWAKAR, J.

1. Heard Shri Manas Bhargava, learned counsel for the petitioner, Shri Alok Kumar Srivastava, learned counsel for the respondent no.2 and learned Standing Counsel for the State.

2. The present petition has been filed against the order dated 28.02.2025, whereby the matter has been remanded back by the Presiding Officer to the authority concerned i.e. Assistant Provident Fund Commissioner, EPFO, Sub-Regional Office, Agra to decide afresh.

3. Learned counsel for the petitioner submits that no reason whatsoever has been assigned by the appellate court in his order dated 28.2.2025, and order dated 19.10.2012 has been set aside only on the ground that without identifying the beneficiaries rather only on the basis of inquiry report which is contrary to the provisions of law, the same is erroneous. The appellate court has also overlooked the fact that establishment has never produced any document which can prove that the production cannot be resumed. The establishment was required to deposit the statutory dues for the period 9 of 2009 to 5 of 2012 and employer in relation to the establishment failed to remit some of the Provident Fund and allied dues within stipulated time frame.

4. Matter requires consideration.

5. Learned counsel for the respondent no.2 are directed to file counter affidavit in response to the contentions raised by the petitioner by giving details and observations and also the requirement as mandated under the

provisions of Employees Provident Fund within four weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

6. Till next date of listing the effect and operation of impugned order dated 28.2.2025 shall remain stayed.

7. Put up on 09.7.2026 as fresh.

April 6, 2026

A. Tripathi

(Vinod Diwakar,J.)