

26. 03 . 2021

BP
UNLISTED

AST 23 of 2021

(Via Video Conference)

Paschim Banga Gramin Bank & Ors.

Vs.

Employees' Provident Fund Organisation & Ors.

Mr. Biswaroop Bhattacharya

Ms. Surasri Baidya

..for the petitioners.

Mr. Santosh Kumar Roy

..for UCO bank.

This matter was mentioned before the Division Bench where I was the Second Judge and taking the leave of the Senior Judge, I granted leave to take up this matter at 2 p.m. as I am to sit singly at 2 p.m.

On the ground of urgency, I granted leave to move this matter.

I have heard Mr. Biswaroop Bhattacharya, learned advocate for the petitioners. His main grievance against the one notice dated 15th March, 2021 issued by the Recovery Officer which is at page 74 of the writ application and two letters written by UCO Bank dated 24th March, 2021 and 25th March, 2021 for realizing dues of more than 38 crores from the petitioners.

Learned advocate for the petitioners submits that they are in real danger because of the Recovery Officer's notices and another letter by UCO bank that is why he

has moved it as a very urgent matter.

Today for different reasons complete hearing of this matter is not possible one of which is non-service of the application upon the P.F. Authority which I understand could not be done because of the urgency. However, the learned advocate has submitted that he has intimated the P.F. Authority that leave has been granted to him to move the petitioners as an urgent unlisted matter.

Considering the documents specially Annexure P-2 at page 36 of the writ application and Annexure P-3 at page 39 of the writ application and two orders passed by this court at page 59 being Annexure P-7 and the order at page 62 in respect of another writ application in connection with some dispute being WPA 15471 of 2015, I pass a limited period interim order restraining the P.F. Authority from taking any further step till 9th April, 2021 in respect of their letter dated 15th March, 2021 which is Annexure P-15 of the writ application.

In the meantime, the petitioners are directed to deposit an amount of Rs. 9,51,168/- to the P.F. authority as appears from a copy of their written submission filed before the P.F. Authority by 6th April, 2021.

This matter will appear in the list on 8th April,

2021 for further hearing at 2 p.m.

The petitioners are directed to serve complete copy of the writ application upon all the respondents.

As this order has been passed in the presence of the learned advocate for the UCO bank, it is expected that they will not take any adverse step against the petitioners till 9th April, 2021.

(Abhijit Gangopadhyay, J.)

