

07.05.2026
Item no. 33
Court no. 30
g.b.
266012

WPA 15036 of 2021

**Megna Jute Mills Provident Fund & Ors.
Vs.
Regional Provident Fund Commissioner I & Ors.**

Mr. Soumya Majumder, Sr. Advocate
Mr. Victor Chatterjee
Mr. Pramitava Nath

..... For the Petitioners

Mr. Shiv Chandra Prasad

.....For the P. F. Authorities

1. The present writ application be heard simultaneously with WPA 12882 of 2023.
2. Let these two writ applications be de-tagged at once.
3. The respondent/EPF has filed written notes.
4. Let the same be kept with the record.
5. The petitioners in the present writ application are aggrieved by a notice dated 11.03.2013 issued by the Recovery Officer to the petitioners herein who is the Secretary to the Board of Trustees of Megna Jute Mills Provident Fund.
6. Learned senior counsel, Mr. Majumder appearing for the petitioners herein, submits that a claim for damages and interest is applicable only to an employer and in no way can the Board of Trustees be made liable for the said penalty.

7. It is stated that in spite of the said provision which is clear, the respondent authority has issued the said recovery notice to the Board of Trustees which it is submitted is not in accordance with law and is thus liable to be quashed and set aside.
8. Learned counsel for the EPF Authorities submits that other than the impugned recovery notice issued to the petitioners herein, the EPF Authority has also issued notice to the company/establishment.
9. The present writ application is only limited to the notice issued to the petitioners herein and as such this Court is not inclined to enter into the fact of notice issued to any other party other than the petitioners herein, which is under challenge in the present writ application.
10. The matter is heard extensively and be treated as **Part-heard.**
11. Let the matter be listed on 7th of July, 2026 for further hearing and necessary order.
12. Petitioners are at liberty to file their short notes on the next date of hearing as the respondent's note is already on record.
13. The interim order in the present case be extended till 20th of July, 2026 or until further order, whichever is earlier.

(Shampa Dutt (Paul), J.)