

(2025) 11 MP CK 1937

In the Madhya Pradesh High Court, Indore Bench

Case No : Writ Petition No. 44831 Of 2025

M/S Balaji Traders Through Its Proprietor Raghuveer Chouhan	APPELLANT
Vs	
Union Of Inadia Through Secretary And Others	RESPONDENT

Date of Decision : 24-11-2025

Acts Referred:

Constitution Of India, 1950 — Article 226

Employees' Provident Funds And Miscellaneous Provisions Act, 1952 — Section 8F, 14B

Citation : (2025) 11 MP CK 1937

Hon'ble Judges : Pranay Verma, J

Bench : Single Bench

Advocate : Shivendra Singh Bais, Govind Rai Purohit

Final Decision : Disposed Of

Judgement

Pranay Verma, J

1.By this petition preferred under Article 226 of the Constitution of India, the petitioner has prayed for the following reliefs:

"(a) Issue a Writ of Certiorari or any other appropriate Writ, Order, or Direction, to Quash the levy of penal damages under Section 14B of the EPF Act for the period of default that occurred during the COVID-19 |lockdown, being directly contrary to the EPFO Circular No. C-I/Misc./2020-21/Vol.1/11/2 dated 15.05.2020.

(b) Issue a Writ of Mandamus or any other appropriate Writ, Order, or Direction, directing Respondent No. 3 to immediately withdraw/cancel the Attachment Order No. MP/IND/Recovery/2109188/4 dated 08.10.2025 and Attachment Order No. MP/IND/Recovery/2109188/465 dated 08.10.2025 issued to the banks (Respondent No.4 & 5) under section 8F of EPF Act, 1952.

(c) Issue a Writ of Mandamus or any other appropriate Writ, Order, or Direction, directing Respondent No.4 & 5 (Bank) to forthwith unfreeze/de-freeze the

Petitioner's account and restore its normal operation on imposition of such condition as the court may deem fit.

(d) To pass such other order(s) as this Hon'ble Court may deem fit in the fact and circumstance of the case to grant relief to the petitioner."

2. Learned counsel for the petitioner submits that the petitioner is ready and willing to pay the outstanding amount but only wants some time for the said purpose. It is further submitted that part of the amount would be deposited in the first installment and the remaining part would be deposited in the second installment.

3. Learned counsel for the respondents has submitted that the petitioner is not entitled for any time from this Court hence the petition be dismissed.

4. In the available fact of the case, it is directed that the petitioner should deposit half of the demand raised from it within a period of one month from today and the remaining part be deposited within a period of two months thereafter. Till then the bank accounts of the petitioner be unfrozen. However, if the amount is not deposited by the petitioner as aforesaid, the respondent would be well within its rights to freeze the account once again.

5. It is further submitted by learned counsel for the petitioner that in respect of the establishments and factories covered under the EPF and MP Act, 1952 from levy of the penal damages for delay in deposit of dues during lockdown to prevent Covid - 19 a circular has been issued by the respondent on 15.05.2020 as per which the petitioner is entitled to the relief. It is hence directed that the aforesaid circular shall be taken into consideration by the respondent and a specific order in that regard would be passed within a period of three weeks from today.

6. With the aforesaid, without expressing any opinion on merits, the petition stands disposed off.