

(2022) 10 KL CK 0221

In the High Court Of Kerala

Case No : Writ Petition (C) No. 29057 Of 2022

M/s Kasargod District Co Operative Rubber Marketing Society
Limited

APPELLANT

Vs

Employees Provident Fund Organisation

RESPONDENT

Date of Decision : 27-10-2022

Acts Referred:

Citation : (2022) 10 KL CK 0221

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : M.V.Amaresan, S.S.Aravind, Santhoshkumar K.C

Final Decision : Disposed Of

Judgement

P.V.Kunhikrishnan, J

1. The above writ petition is filed with following prayers:

"(i) Issue a writ of mandamus or any other appropriate writ or orders directing the 1st respondent to recall Exhibit P1 and P2;

(ii) to direct the respondent No.1 to enable the petitioner to clear off statutory contribution dues, disclosed in Exhibit P1 and Exhibit P2 in 20 monthly installments together with the future contribution;

(iii) to grant such other and further reliefs as this Hon'ble Court may consider just and proper in the facts and circumstances of the case." (sic)

2. The main prayer in this writ petition is to issue a direction to the respondent to afford installment facility to the petitioner to clear off the EPF contribution due to the 1st respondent.

3. When this writ petition came up for consideration, this Court passed an order on 06.09.2022, which is extracted hereunder:

"Admit.

Standing Counsel to get instruction.

Post on 23.09.2022.

In the meanwhile, there will be an interim order staying the operation of Exts.P1 and P2 on condition that petitioner to remit an amount of Rs.1,00,000/- within one month."

4. The same was extended on 23.09.2022 for one month. It is submitted that the amount of Rs.1,00,000/- is already paid. The petitioner only seeks an installment facility to clear off the amount.

5. Heard the counsel for the petitioner and the Standing Counsel appearing for the 1st respondent. I also heard the counsel appearing for the 3rd respondent.

6. After hearing both sides, I think the prayer in this writ petition can be allowed by granting twelve monthly installments to the petitioner to clear off the balance amount due.

Therefore, this writ petition is disposed of in the following manner:

1. The petitioner is permitted to clear off the balance amount due as per Exts.P1 and P2 in twelve equal monthly installments commencing from 01.12.2022.
2. If there is any default in repaying any of the installment, the respondents are free to proceed with, in accordance to law.