
(2022) 03 KL CK 0119

In the High Court Of Kerala

Case No : Writ Petition (C) No. 1635 Of 2022

M/s Steel Industrials Kerala Ltd.

APPELLANT

Vs

Enforcement Officer

RESPONDENT

Date of Decision : 16-03-2022

Acts Referred:

Employees' Provident Funds and Miscellaneous Provisions Act, 1952 — Section 7A, 8F

Citation : (2022) 03 KL CK 0119

Hon'ble Judges : Murali Purushothaman, J

Bench : Single Bench

Advocate : Thushara James, M.S.Amal Dharsan, Abraham P.Meachinkara

Final Decision : Disposed Of

Judgement

Murali Purushothaman, J

1. The petitioner is a steel manufacturing company and an establishment under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (hereinafter referred to as the 'Act' for short). The petitioner has filed this writ petition challenging Ext.P9 order of attachment under Section 8F of the Act, which was initiated by the 4th respondent, since the petitioner defaulted in payment of the employees' provident fund contributions, determined under Section 7A of the Act.

2. This Court, by order dated 18.01.2022 has passed an interim order staying Exts.P9 and P10 and also ordered to lift the attachment subject to the outcome of the writ petition.

3. When the writ petition came up for consideration today, Sri.Abraham P. Meachinkara, the learned Standing Counsel for the Employees Provident Fund Organisation submits that Exts.P9 and P10 orders, which are impugned in this writ petition has been withdrawn as early as on 17.01.2022. This submission of the learned Standing Counsel is recorded.

4. Since it is submitted that Exts.P9 and P10 orders issued by the 4th respondent have been withdrawn, all consequential proceedings pursuant to Exts.P9 and P10 cannot survive. Any amount, if recovered by the 4th respondent from the petitioner pursuant to Exts.P9 and P10 shall be credited to the account of the petitioner.

The writ petition is disposed of with the above directions.