

(2011) 09 MAD CK 0043

In the Madras High Court

Case No : Writ Petition (MD) No. 1235 of 2010 and M.P. (MD) No. 2 of 2010

N. Ramkumar, Proprietor, Jeyaram Travels

APPELLANT

Vs

The Assistant Provident Fund Commissioner, Employees
Provident Fund Organization and The Enforcement Officer

RESPONDENT

Date of Decision : 07-09-2011

Acts Referred:

Citation : (2011) 09 MAD CK 0043

Hon'ble Judges : Vinod K. Sharma, J

Bench : Single Bench

Advocate : S. Harihara Ramachandran, for the Appellant; K. Murali Sankar, for the Respondent

Judgement

Vinod K. Sharma, J.—The Petitioner has invoked the writ jurisdiction of this Court, for issuance of a Writ, in the nature of Certiorari, to

quash the recovery proceedings initiated by the Respondents, in view of the dismissal of the Appeal filed by the Petitioner in default.

2. W.P. (MD) Nos. 12733 and 12734 of 2010 filed against the orders dated 31.03.2010, passed by the Employees Provident Fund Appellate

Tribunal, New Delhi, dismissing the applications filed, for restoring the Appeals, as timed barred stand allowed, by this Court, and the Appeals

have been directed to be heard on merit.

3. In view of the order passed by this Court, restoring the Appeals to be decided on merit, this Writ petition is disposed of, with liberty to the

Petitioner, to seek stay of recovery from the learned Appellate Tribunal in the pending Appeal, by moving appropriate application.

4. If any such application is moved, within one month from the receipt of certified copy of this order, the same be disposed of within two months

from the date of filing.

5. It is made clear that the interim order passed by this Court, staying 3 the recovery proceedings, shall continue till the disposal of the applications

for stay by the learned Appellate Tribunal.

No costs.

Consequently, the connected M.P.(MD) No. 2 of 2010 is closed.