

(1990) 04 MAD CK 0053
In the Madras High Court

The Regional Commissioner, Employees Provident Funds

APPELLANT

Vs

Kamaraj Textiles and Others

RESPONDENT

Date of Decision : 25-04-1990

Acts Referred:

Citation : (1990) 2 MLJ 159

Hon'ble Judges : Nainar Sundaram, J

Bench : Single Bench

Judgement

Nainar Sundaram, J.—These five Writ Appeals were earlier heard by a Bench Of this Court, to which one of us (Nainar Sundaram, J.) was a party and by order dated 20th February, 1986, the following question was formulated and the papers were directed to be placed before our Lord the Chief Justice for a reference to a larger bench for decision on the said question:

Can the provisions of the Act be enforced when the question of applicability of the provisions of the Act is pending adjudication before the Central Government u/s 19-A of the Act?

The relevant facts and circumstances of the cases and how the question got referred to a larger Bench, are set out in detail in the earlier order dated 20th February, 1986. The said order shall stand annexed to this judgment as Annexure A.

2. The matters were referred to a Full Bench of three learned Judges of this Court, and the Full Bench, by order dated 6.3.1989, answered the questions as follows:

During the pendency of the adjudication proceedings before the Central Government u/s 19-A of the Act, the liability u/s 7-A of the Act cannot be enforced and it will remain suspended till such adjudication is over.

The order of the Full Bench, dated 6.3.1989, shall stand annexed to this judgment as Annexure B. The answer to the question being given, as above, we

are Obligated to confirm the common order of the learned single Judge, subject matter of these five writ appeals, and accordingly these five writ appeals are dismissed. We make no order as to costs.