

EMPLOYEES PROVIDENT FUND APPELLATE TRIBUNHAL, GUWAHATI.

EPFA No.01/2022.

Present: Dr. S.K.Thakur,  
Presiding Officer/Link Officer,  
CGIT, Guwahati.

The Meghalaya Co-Operative Apex Bank Ltd. ....Petitioner/Appellant.

-vs-

Regional Provident Fund Commissioner & 3 ors ..... Respondent.

ORDER

Dt.26.07.2022.

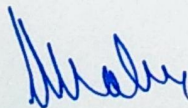
Present: Mr. B.K.Das and Mr. S.D. Upadhaya, learned Advocates for the Appellant.  
Mr. Dilip Dey, Learned Advocate and Mr. Amitabh Choudhury, E.O. for the Respondent.

Learned Advocate Mr. B.K.Das and learned Advocate Mr.

S.D.Upadhaya, appearing for the Appellant. Vokatnama was already filed with the appeal. The appellant side also filed a copy of the order of Hon'ble High Court of Meghalaya dated 23.06.2022 having stay granted against the impugned order dated 16.03.2022 and demand notice dated 12.05.2022 till further order. A copy of the above order of the Hon'ble High Court is served upon the Respondent.

The Respondent side submitted that they have not received the copy of the appeal till now and so they are not in a position to file

Received

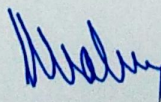


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counter reply. Since the Appellant side has already filed sufficient copies of the Appeal to be served upon the Respondent the appeal copies are served upon the respondent during the proceeding itself.

The Respondent accordingly prayed for six weeks time to file counter reply. Allowed with direction to serve the copy of the counter reply upon the Appellant simultaneously. The Appellant may file rejoinder to counter of the Respondent within 2 weeks after receipt of the counter reply from the Respondent. Let the matter be fixed on 11.10.2022 for hearing.

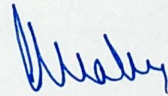
At this stage the Appellant Counsel submitted that they will approach the Hon'ble High Court, Meghalay, Shillong for the purpose of withdrawal of the Writ Petition as the prayer was for stay of the impugned order and stay of the coercive action against the impugned order only since this Tribunal was not holding its court and not hearing the matter. Now since the Tribunal has started hearing the matter and the matter has been preliminary heard. It is prayed that stay and relief may be granted as per the prayer made in the Appeal so that during this period the Appellant may approach before the Hon'ble High Court,



Contd....26.07.2022.

Meghalaya for withdrawal of the MC(W.P( C). No.110 of 2022 in W.P.C. No. 191 of 2022. On the prayer and suggestion of the Appellant the Respondent raised no objection at this prayer of the Appellant.

Since the Hon'ble High Court has already granted stay order till further orders this Tribunal accepts the prayer of the Appellant for filing withdrawal petition before the Hon'ble High Court by the Appellant to facilitate the hearing of the appeal before this Tribunal. In the mean time the impugned order with coercive action for recovery are stayed till next hearing or the referred order of the Hon'ble High Court ,whichever is later.



(Dr. S.K.Thakur),

Presiding Officer, CGIT, Guwahati.