

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

W.P.(C) No. 682 of 2021

Himanshu Chandra Mondal ... .. Petitioner  
Versus

Employees' Provident fund Organisation through its Central Provident Fund  
Commissioner, New Delhi & Ors. ... .. Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner :- Mr. Ratnesh Kumar, Advocate  
For the State :- Mr. Ashwini Bhushan, A.C. to Sr. S.C.-III  
For the Resp.EPFO :- Mr. Prashant Pallav, Advocate

04/05.04.2021 The present case is taken up through video conferencing.

At the request of the learned counsel for the petitioner, the defect, as pointed out by the office, is ignored for the present.

Learned counsel for the petitioner submits that the proceeding under Section 7A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 was initiated by the Assistant Provident Fund Commissioner (Compliance), Employees' Provident fund Organisation, Regional Office, Jharkhand, Ranchi against the establishment i.e. M/s. Bhartiya Vidya Mandir, Sector-IX, D-16, Koyala Nagar, Dhanba. The said establishment was represented by Smt. Neera Prasad-Principal and Smt. Kanchan Sinha-Accountant & Teacher and the aforesaid authority determined the payable EPF and allied dues for the period from 05/2011 to 04/2018, however the impugned warrant of arrest as contained in letter no. 6478 dated 28.10.2020 as well as subsequent warrant of arrest have been issued in the name of the petitioner who was elected as chairman of managing committee of the establishment on 08.06.2018 which was dissolved on 17.11.2020. It is further submitted that the relevant period of the demand under provident fund contribution is from 05/2011 to 04/2018 i.e. the period for which the petitioner cannot be said to be responsible.

Mr. Prashant Pallav, learned counsel for the respondent nos. 1 to 5, prays for two weeks' time to seek instruction and file counter affidavit.

In view of the said prayer, put up this case on 26.04.2021 under appropriate heading.

Till then, no coercive step shall be taken against the petitioner in pursuance of the impugned warrant of arrest as contained in letter no. 6478 dated 28.10.2020 as well as subsequent warrant of arrest (if any) issued by the Recovery Officer, Employees' Provident Fund Organisation, Dhanbad.