

Mehras Books Pvt. Ltd. Vs Employees Provident Fund Organisation

Court: CALCUTTA HIGH COURT

Date of Decision: Aug. 24, 2016

Acts Referred: Employees Provident Funds and Miscellaneous Provisions Act, 1952 " Section 14B, 7Q

Citation: (2016) 151 FLR 1045 : (2016) LabLR 1146

Hon'ble Judges: Mr. I.P. Mukerji, J.

Bench: Single Bench

Advocate: Mr. Vinay Mishra, Advocate, for the Petitioner; Mr. A.K. Gupta, Advocate, for the Respondent

Final Decision: Disposed Off

Judgement

I.P. Mukerji, J."Mr. Mishra for the petitioner has taken a very fair stand in offering to liquidate the demand of the Provident Fund Authority by

instalments.

2. The assessed amount of damages under Section 14B of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 payable by

the petitioner is Rs.1,87,413/-. The Supreme Court and our High Court have held that these Courts have the power to reduce the damages but not

to remit it altogether. Using my discretion I reduce the damages to Rs.1,50,000/-. On account of interest under Section 7Q of the said Act, the

petitioner has deposited Rs. 97,728/- with the Registrar, High Court, Original Side.

3. The Registrar is directed to make over this sum together with accrued interest, if any after deduction of any applicable commission to the

Regional Provident Fund Commissioner, Salt Lake, Kolkata by 15th September, 2016.

4. The assessed damages of Rs.1,50,000/- will be paid by the petitioner in twelve equal monthly instalments, any remainder being added to the last

instalment, commencing from October 2016 and payable by the 7th of each succeeding month.

5. In default of payment of any two instalments by the petitioner the Provident Fund Authority may apply to this Court for taking appropriate steps

in accordance with law.

6. Upon payment of the entire amount of damages the Provident Fund Authority will be deemed to have recorded satisfaction of their entire

subject claim against the petitioner. Upon punctual payment of the instalments the Provident Fund Authority will take no steps against the writ

petitioner.

7. This writ application is accordingly disposed of.