

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)**

PRESENT

THE HON'BLE Ms. JUSTICE G. ROHINI

-
W.P.No.20767 OF 2011

-
Date: 25.07.2011

Between:

M/s.Share Microfin Ltd., Hyderabad, rep.by its Vice President
(Finance), B.B.Sankara Rao.

... Petitioner

AND

The Employees Provident Fund Organization, rep. by Regional
Provident Fund Commissioner-I, Hyderabad and others.

... Respondents

ORDER:

-

This writ petition is filed seeking a declaration that the Summons No.AP/RO/HYD/37433/C-II/T-2/2011/748, dated 02.05.2011 issued by respondent No.2-Assistant Provident Fund Commissioner (C-II) calling upon the petitioner to attend the enquiry under Section 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short, 'the E.P.F.Act') as illegal and arbitrary and consequently, to set aside the same.

It is brought to my notice by the learned Counsel for the petitioner as well as Sri R.N.Reddy, learned Standing Counsel appearing for the respondents that in identical circumstances, this Court disposed of W.P.No.17562 of 2011 by order dated 20.07.2011 and the issue involved in this writ petition is squarely covered by the said order.

The material available on record shows that the petitioner herein also raised a similar objection that the enquiry initiated by respondent No.2 is beyond the scope of the E.P.F.Act. Accordingly, the Writ Petition is disposed of directing respondent No.2 to consider the petitioner's objection as a preliminary issue and pass appropriate orders in accordance with law before proceeding further. There shall be no order as to costs.

G.ROHINI, J

25th July, 2011.

AMD

THE HON'BLE Ms. JUSTICE G. ROHINI

— — — — —

W.P.No.20767 OF 2011

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

Date: 25.07.2011

-
-
-
-
-
-
-
-
-
-

AMD