

Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC.(WPC) No. 83 of 2023 in
WP(C) No. 163 of 2023.

Date of Order: 28.06.2023

St. John's School Whitehall, Shillong Vs. Employees Provident Fund
Organisation & 3 Ors.

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Deb, Adv.
For the Respondent(s) : Ms. P. Bhattacharjee, SC EPFO.(R.1-3)

ORDER

1. Heard learned counsel for the parties.
2. Learned counsel for the petitioner has submitted that the parties have met on 27.06.2023 and discussed the matter in dispute, however, nothing concrete has emerged. It is therefore submitted that some more time may be allowed for the parties to continue with the settlement process and to come back to this Court with a specific report in this regard..
3. It is the prayer of the learned counsel that given the assurance of the petitioner that it will not default or avoid payment of whatever is due and payable as far as the contribution from its part is concerned.

However, the fact that the operation of the said bank account is suspended and no transaction could be made from the said account, the difficulty would lie inasmuch as, the petitioners are required to operate the said account for its day today requirement and also if any disbursement of funds to the respondent's Organisation is to be made, the money would come out of the said account.

4. To this extent, it is prayed that the said account may be directed to be allowed to be operated by the petitioner, though certain reservations has been expressed by the learned counsel for the respondent in this regard. It is however obvious that the operation of the said account would play a major part in the settlement of the dispute between the parties.

5. Accordingly, the account of the petitioner's school in the State Bank of India, Rynjah Branch, Shillong is hereby directed to be released from any encumbrance to allow the petitioner's school to operate it.

6. It is however made clear that in the event, the conduct of the petitioner in these proceedings is found wanting, it is open to the respondent to make a prayer for freezing of the said account in due course.

7. This Misc. Case is accordingly disposed of.

Judge

Meghalaya

28.06.2023

"N.Swer, Stenographer"