



CGHC010239722022



2026:CGHC:30862

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPL No. 85 of 2022

- Rice Mill Hamal Reja Sangh Through Its President Namely Shankar Kumar, S/o Kumro, Aged About - 65 Years, R/o Ward No. 23, Subhash Nagar, Mahasamund (C.G.)

... Petitioner

versus

1. Union Of India Through The Secretary, Ministry Of Labour And Employment, Having Its Regional Office At Block - D Scheme - 32, Indra Gandhi Commercial Complex, Pandari, Raipur (C.G.)
2. Regional Provident Fund Commissioner Sub Regional Office, Navbharat Press Complex, G.E. Road, District : Raipur, Chhattisgarh

... Respondent(s)

For Petitioner	:	Mr. Siddharth Rathod, Advocate holding the brief of Mr. Chandradeep Prasad, Advocate
For Union of India	:	Mr. Abhishek Banjare, C.G.C.
For Respondent No. 2	:	Mr. R.S. Patel, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

21.07.2026

1. By way of this petition, the petitioner has sought the following relief(s):-

“10.1 This Hon'ble court may be please to issue writ in the nature of mandamus, certiorari or any appropriate writ directing the respondents to take appropriate steps in accordance with order dated 28-09-1998 (Annexure P/1) and also the order dated 17-06-2004, 14-08-2000. 13-10-2000, 13-09-2000 (Annexure P/2).

10.2 This Hon'ble court may be please to issue a writ in the nature of mandamus directing the respondents to ascertain that the due which are payable to the employees of the respective establishment shall be paid in a timebound

manner along with the interest.

10.3 This Hon'ble court may be please to issue a writ in the nature of mandamus directing the respondents to pay compensation to the employees for the loss and hardship suffered by them.

10.4 This Hon'ble Court may be please to issue any order or orders, direction or directions, writ or writs as it may deem fit under the facts and circumstances of the case in favour of the petitioner and against the respondents and be also please to award cost of the petition to the petitioner.”

2. Learned counsel for the petitioner would contend that Regional Provident Fund Commissioner, Sub Regional Office, Raipur initiated a proceeding under Section 7A of Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (for short “Act, 1952”) and vide order dated 28.09.1998 issued a direction to the department to proceed with the determination of dues under Section 7A of the Act of 1952. Pursuant to said order, the Assistant Provident Fund Commissioner, Sub Regional Office, Raipur determined the amount admissible to workmen and same is reproduced herein-below :-

Sr. No.	Name of Industries	Date of order	Amount due
1.	M/s. Kisan Rice Industries, Mahasamund	14.08.2000	Rs. 30,305/-
2.	M/s. Surya Rice Mill, Mahasamund	13.09.2000	Rs. 1,61,062/-
3.	M/s. Arihant Rice Mill, Mahasamund	13.10.2000	Rs. 77,112/-
4.	M/s Chopra Trading, Mahasamund	13.10.2000	Rs. 1,05,564/-
5.	M/s. Saraswati Trading, Mahasamund	13.10.2000	Rs. 77,112/-
6.	M/s. M.P. Rice Trading Co., Mahasamund	13.10.2000	Rs. 1,12,709/-
7.	M/s. Luniya Traders, Mahasamund	13.10.2000	Rs. 98,510/-

8.	M/s. Parakh Akshat Udyog, Gram, Labra Khurd, Mahasamund	07.06.2004	Rs. 6,52,010/-
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3. He would contend that employer(s) have already complied with the order and deposited the sum assessed by the Assistant Provident Fund Commissioner, Sub Regional Office, Raipur, but till date the authority concerned has not disbursed the amount. He would submit that a direction may be issued to the respondent No. 2 to disburse the amount, which has already been deposited by the employer(s).
4. On the other hand, learned counsel appearing for respondents would oppose. They would submit that the petitioner should have approached authority concerned for redressal of grievance. They would contend that if the petitioner moves an application in Form 19 under Paragraph 72 of the Employees' Provident Fund Scheme, 1952, the authority concerned would consider the claim of the petitioner. They would contend that the instant petition deserves to be dismissed.
5. I have heard learned counsel for the parties and perused the documents placed on record.
6. Having considered the fact that the employer(s) have already deposited the sum assessed by the Assistant Provident Fund Commissioner, Sub Regional Office, Raipur with the respondent No. 2, the petitioner is granted liberty to move appropriate application/s in proper format before the said authority for disbursement of the amount deposited by the employer, and in turn, the said authority shall decide it expeditiously, preferably within a period of 60 days

after affording due opportunity of hearing to the parties interested.

7. With the aforesaid observation(s), and direction(s), the instant petition is hereby **disposed of**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Siddhant