



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>WPMS/1978/2026</u></p> <p>M/s Surya Process Food Pvt Ltd --Petitioner Versus State Of Uttarakhand & Ors. --Respondents</p> <p><u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>Mr. Ashish Joshi, Advocate, for the petitioner.</p> <p>Mr. N.K. Papnai, Standing Counsel, for the State.</p> <p>Mr. Hari Mohan Bhatia, Advocate, for the respondent no. 2.</p> <p>(2) A recovery citation was issued against the petitioner on 24.12.2025 for recovery of a sum of ₹59,96,230 as cess and an equal amount as penalty. The said recovery was ordered under the provisions of Uttarakhand Building and Other Construction Workers Welfare Cess Act, 1996.</p> <p>(3) Learned Counsel for the respondent no. 2 submits that petitioner has a remedy under Section 11 of the Aforesaid Act. He thus submits that writ petition would not be maintainable.</p> <p>(4) Learned Counsel for the petitioner does not dispute the said submission. He, however, submits that appeal has now become time barred, as limitation provided is only 30 days.</p> <p>(5) Mr. Hari Mohan Bhatia, learned Counsel appearing for the respondent no.</p>



			<p>2, submits that this Court can direct the competent authority to decide the appeal, if filed within a specified period, on merits.</p> <p>(6) Writ petition is, accordingly, disposed of with liberty to petitioner to file appeal before the appropriate forum. If such appeal is filed within two weeks from today, the same shall be heard and decided, ignoring the question of delay, on merits. For a period of two weeks, no coercive action shall be taken against the petitioner in terms of the impugned recovery citation.</p> <p style="text-align: right;">(Manoj Kumar Tiwari, J.) 06.7.2026</p> <p>Pr</p>
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