

Christian Medical College And Brown ... vs Regional Provident Fund Commissioner, ... on 7 January, 1988

Equivalent citations: JT1988(1)SC294, (1988)11LLJ379SC, 1989SUPP(2)SCC95, AIRONLINE 1988 SC 198

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Bench: B.C. Ray, E.S. Venkataramiah

ORDER

E.S. Venkataramiah, J.

1. Shri H.N. Salve, learned Counsel for the Christian Medical College and Brown Memorial Hospital, Ludhiana, the appellants in the Civil Appeal and the petitioners in the Writ Petition submits that the Christian Medical College and Brown Memorial Hospital, Ludhiana have been now complying with the provisions of the Employees Provident Fund and Miscellaneous Provision Act, 1952 (hereinafter referred to as 'the Act') and will continue to comply with the said Act and the scheme made thereunder. He also submits that the Medical College and the Hospital would pay up all the arrears demanded by the Regional Provident Fund Commissioner, Chandigarh in instalments as may be approved by the Regional Provident Fund Commissioner provided the Regional Provident Fund Commissioner takes no action to levy damages for delayed payment of the arrears. Having regard to the facts of this case we are of the view that the submission of Shri H.N. Salve appears to be a reasonable one and we direct the Regional Provident Fund Commissioner not to levy any damages provided the Medical College and the hospital pay up all the arrears in accordance with the terms to be imposed by the Regional Provident Fund Commissioner. In view of the above there is no need to pass any further order in these matters. We direct the parties to act accordingly. In view of the Special circumstances of the case we further direct that the employees will not be entitled to claim any interest on the arrears. If the Medical College and the Hospital submit any scheme for the approval of the Regional Provident Fund Commissioner in substitution of the scheme framed under the Act the Regional Provident Fund Commissioner will consider it in accordance with law. The Civil Appeal and the Writ Petition are disposed of accordingly. No costs.