

M/s. D. A. V. College and Others

Vs

Regional Provident Fund Commissioner and Others

Writ Petition Nos. 8000-01 of 1982 with Writ Petitions Nos. 6976 of 1982, 2834, 5852, 5333-55, etc. of 1983 and 12791-94, 12642-54 and 1603 of 1984

(E.S. Venkataramiah, K.N. Singh JJ)

29.01.1988

ORDER

1. Shri S. K. Bagga, learned counsel appears for the petitioners. We do not find any substance in the contention of the petitioners in these cases that the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (hereinafter referred to as 'the Act') has no application to the educational institutions who are petitioners in these cases. We, therefore, dismiss all these cases.

2. We direct that the petitioners shall comply with the Act and the schemes framed thereunder regularly with effect from February 1, 1988. Whatever arrears they have to pay under the Act and the schemes in respect of the period between March 1, 1982 and February 1, 1988 shall be paid by each of the petitioners within such time as may be granted by the Regional Provident Fund Commissioner. If the petitioners pay all the arrears payable from March 1, 1982 upto February 1, 1988 in accordance with the directions of the Regional Provident Fund Commissioner he shall not levy any damages for the delay in payment of the arrears. Having regard to the special facts of these cases the subscribers (the employees) shall not be entitled to any interest on the arrears. The writ petitions are disposed of accordingly. No costs.

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