

**SUPREME COURT OF INDIA**

Sarvaraya Textiles Ltd.

Vs.

Commnr. E.P.F.C.,R.O., Hyderabad

C.A.No.2871 of 2002

(Tarun Chatterjee and Harjit Singh Bedi JJ.)

30.04.2008

**ORDER**

1. Heard learned counsel for the parties. A list has been submitted by the learned counsel for the appellant showing partial compliance with the order dated 7th of July, 2005 and 6th of June, 2006 passed by the Board for Industrial and Financial Reconstruction from which it appears that a part of the employees contribution had not been deposited. Since the appellant desires to comply with the order of the High Court and to deposit its part of contribution as found to have not been paid or deposited by the appellant, we dispose of this appeal in the following manner :- The appellant shall deposit the part of the contribution of the employees, as shown in the list, within three months from this date. In the event, the part of the employees' contribution, as per the list given by the learned counsel for the appellant which shall be taken on record, are not deposited, it will be open to the respondent to proceed in accordance with the judgment of the High Court.If petitions have been filed before the High Court or the Civil Court, it will be open for the appellant after complying with the order of the High Court to approach the III Additional Judicial First Class Magistrate Court Kakinada, East Godavari District A.P. in Case No.475/2004 & Case No.354/2006, District Court Vizianagaram, A.P. in STC: 46/98, STC: 47/98, STC: 48/98, STC: 49/98, STC: 50/98, STC: 51/98, STC: 52/98, STC: 53/98, STC: 54/98, STC: 55/98 and the High Court of Andhra Pradesh, Hyderabad in CC: 55/98, CC: 57/98, CC: 58/98, CC: 59/98, CC: 60/98 & CC: 61/98 to get the petitions and proceedings quashed. In default, it will be open for the respondent to take appropriate steps in accordance with the judgment of the High Court. The appeal is thus disposed of. There will be no order as to costs.