



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 17<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE**

**WRIT PETITION NO. 30894 OF 2025 (L-PF)**

**BETWEEN:**

ZONTA INFRATECH PVT LTD.,  
A PRIVATE LIMITED COMPANY,  
HAVING ITS OFFICE AT  
RAHEJA CHAMBERS, NO.12, 1<sup>ST</sup> FLOOR,  
ABOVE TAFE OFFICE,  
MUSEUM ROAD, BENGALURU-560001,  
REPRESENTED BY THE COMPANY SECRETARY,  
SREEJU S NAIR,  
REGISTERED UNDER COMPANIES ACT, 2013.

...PETITIONER

(BY SRI HEMANTH R RAO, ADVOCATE)

**AND:**

REGIONAL PROVIDENT FUND COMMISSIONER-II,  
EMPLOYEES PROVIDENT FUND ORGANISATION,  
REGIONAL OFFICE, BENGALURU, (MALLESHWARAM)  
BHAVISHYA NIDHI, BHAWAN, NO. 13,  
RAJA RAM MOHAN ROY ROAD,  
BENGALURU - 560025.

...RESPONDENT

(BY SRI PRAMOD B, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE AN APPROPRIATE WRIT SETTING ASIDE THE ORDER DATED 28.02.2025 PASSED BY THE RESPONDENT BEARING NOBG/BNG(MWM)/COMP/2D/1548758/2024-25/281PRODUCED AT ANNEXURE - A.B. CONSEQUENTLY, ISSUE AN APPROPRIATE WRIT QUASHING THE PROHIBITORY ORDER DATED 09.07.2025 PASSED BY THE RESPONDENT BEARING NO.BG/BNG-M/RO/RECOVERY/2025-26/1548758/07 PRODUCED AT





ANNEXURE B.C. GRANT ANY OTHER ORDER/ORDERS AS MAY BE DEEMED FIT AND PROPER BY THIS HONBLE COURT IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

**ORAL ORDER**

Heard the learned counsel appearing for the petitioner.

2. This petition is filed challenging the order dated 28.02.2025 passed by the respondent marked at Annexure-A and also sought the relief of quashing the prohibitory order dated 09.07.2025 marked at Annexure-B.

3. Learned counsel appearing for the petitioner would submit that the order at Annexure-A is erroneous and liable to be set aside and the contributions made by the petitioner are not taken into account while passing the said order. He would further submit that the order at Annexure-B is a consequential order and once the order at Annexure-A is set aside, same has to be set aside.

4. Learned counsel appearing for the respondent would submit that the writ petition is not maintainable and the petitioner



has to file an appeal against the order at Annexure-A as the statute provides for an appeal. It is further submitted that the appeal is not filed in time and to circumvent the provision relating to the statutory appeal and statutory deposit which is prescribed for filing an appeal, the present writ petition is filed. It is further submitted that no material is placed to show that the contributions made by the petitioner are not taken into account while passing the order.

5. The Court has considered the contentions raised at the Bar and perused the records.

6. Admittedly, the order at Annexure-A is an appealable order under the provisions of the ***Employees' Provident Funds and Miscellaneous Provisions Act, 1952*** and the appeal is not filed. It is also noticed that the appeal is not filed within 60 days from the date of the order and the statutory period for filing the appeal has also expired and it is a settled position of law that the delay cannot be condoned beyond 120 days and the 120 days period has also expired. Thus, the Court does not find any merit in the contention of the petitioner that the petition has to be considered on merits.



7. It is also noticed that there are no records to show that alleged payment made by the petitioner is not taken into account by the respondent. Thus, the order at Annexure-A is upheld. The order at Annexure-B is the attachment order and same is passed as payment is not made by the petitioner. In terms of the attachment order, the bank account of the petitioner is attached and petitioner is restrained from operating the bank account. This Court had granted the interim order staying the operation of the order at Annexure-B.

8. The learned counsel for the petitioner submits that the petitioner is an ongoing concern and the Bank account in case is attached and petitioner is restrained from operating the bank account, the petitioner will not be in a position to carry out the day to day transactions and several employees of the petitioner will suffer.

9. Learned counsel for the respondent would submit that the impugned order at Annexure-B is consequent to Annexure-A order and same cannot be quashed as Annexure-A is validly passed.



10. It is noticed that the petitioner has given an undertaking in the form of an affidavit dated 11.02.2026 to pay the entire balance amount in 24 monthly installments. The Court has perused the said affidavit. The petitioner has provided the payment schedule in the said affidavit.

11. It is also noticed that there is a clause wherein the petitioner has agreed that in the event of single default, the respondent can proceed to take further action to recover the entire dues.

12. That being the position, the Court finds that in the peculiar facts and circumstances of the case, the petitioner has made out a case to quash the order at Annexure-B with a rider to comply with the undertaking made in the affidavit dated 11.02.2026. It is also made clear that, in case of default in making any one of the payments undertaken, then the respondent is at liberty to proceed further in accordance with law, as if Annexure-B is in force.

13. It is also made clear that, this order should not be construed as having restrained the respondent from proceeding to



recover the penalty, interest, or damages, if any, payable in accordance with law.

14. With these observations, the writ petition is ***disposed of***. The order at Annexure-B is quashed.

**Sd/-**

**(ANANT RAMANATH HEGDE)**  
**JUDGE**

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List No.: 1 Sl No.: 46