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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 812 OF 2015
IN WP/10104/2014

SHAMLAL MEMORIAL EDUCATION SOCIETY, UDGIR, LATUR
VERSUS
THE EMPLOYEES PROVIDENT FUND ORGANIZATION,
MINISTRY OF LABOR AND EMPLOYMENT.

...
Advocate for Applicant : Mr.Karpe Rahul R.
Advocate for Respondents : Mr.K.B. Choudhary.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 26th March, 2015

Per Court:

1 By order dated 16.12.2014 this Court had disposed of Writ Petition No.10104/2014. Under paragraph 8 of the order, the Petitioner/Applicant herein was placed under an obligation to pay Rs.9,39,464/- as outstanding Provident Fund contribution to the Employees' Provident Fund Authorities at Solapur, in three installments.

2 By this Civil Application, it is pointed out that the first and second installments of Rs.3 lacs each have been paid by the Applicant. Insofar as the third installment of Rs.3,39,464/-, which was to be paid on or before 18.04.2015, is concerned, the Applicant points out, from Exhibit

R-1 page 7 of the Civil Application, that an amount of Rs.3,50,000/- was paid by cheque No.636029 dated 13.08.2014. It is canvassed that this aspect, by inadvertence, was not brought to the notice of this Court. It is, therefore, prayed that the order/ direction below paragraph 8A(iii) needs to be deleted from the order dated 16.12.2014.

3 Mr.K.B.Chaudhary, learned Advocate appearing on behalf of the Respondent/ Provident Fund Authorities, submits, on instructions, that the cheque deposited by the Petitioner/ Applicant dated 13.08.2014 has been duly honoured and an amount of Rs.3,50,000/- has been credited to the account of the Provident Fund Department.

4 Mr.Chaudhary, therefore, submits on instructions that the contention of the Applicant for deleting the third installment from the order dated 16.12.2014 can be accepted. In the event there is any excess payment, the said amount will be adjusted as against any short payment, if it so occurs in future.

5 Mr.Karpe, learned Advocate for the Applicant/ Petitioner, is agreeable to the said suggestion.

6 In the light of the above, this Civil Application is allowed. The

payment of the third installment as set out in paragraph 8(A)(iii) of the order dated 16.12.2014 is deleted from the said order in the light of the statement made as recorded above.

(RAVINDRA V. GHUGE, J.)