

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 302 OF 2015

IN

WRIT PETITION NO. 596 OF 2014

THE REGIONAL P.F. COMMISSIONER.

... Applicant

Versus

M/S. VIJAY INDUSTRIES, THROUGH ITS
SOLE PROPRIETOR MR. SURAJ DAILANI.

... Respondent

Mr. P. P. Singh, Advocate for the Applicant.

Mr. Arunkumar V. Nigalye, Advocate for the Respondent.

Coram:- F. M. REIS, J.

Date:- 18th June, 2015

P.C.:

Heard Mr. P.P. Singh, learned Counsel appearing for the applicant and Mr. A.V. Nigalye, learned Counsel appearing for the respondent.

2. This is an application for amendment of the cause title to comply with directions as reflected in the judgment of the learned Single Judge of this Court reported in 2014 LLR 1035 in the case of The Regional Provident Fund Commissioner, Employees' Provident Fund Organisation V/s. Malegaon Sah. Sakhar Karkhana Ltd.

3. Mr. A.V. Nigalye, learned Counsel appearing for the respondent has opposed the said application, as according to him, the person who has filed such application has not been properly delegated or

authorised to file such application. The learned Counsel further points out that the requirements in the said judgment are not satisfied by the petitioner and, as such, the application deserves to be rejected.

4. Considering the peculiar facts and circumstances of the case, as the application is for amendment to correct and/or rectify the mis-description of the original petitioner, I find that keeping the objections of the respondent open, there is no reason to refuse the leave sought by the petitioner.

5. Hence, the application for leave to amend the cause title as prayed for is allowed. All the objections of the respondent are left open to be examined at the time of the hearing of the petition. Application stands disposed of.

F. M. REIS, J.

NH