

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

M.C.A.NO.771 OF 2015 IN L.P.A.NO.22/2013 (D) IN W.P.NO.1338/2011 (D)

M/s Varhadi That, Dhantoli Nagpur thr. Proprietor Shri P.A.Shinde

..VS..

The Asstt.Provident Funds Commissioner, Nagpur and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr.S.S.Ghate, Advocate for the applicant.
Ms.U.R.Tanna, Adv. for the respondents.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : SEPTEMBER 02, 2015.

Letters Patent Appeal was found without any substance by this Court and therefore disposed of on 21st of April, 2015.

Material then looked into is again pressed into service to show that independent food license clearly revealed that there were two separate establishments.

This Court had on 21st of April, 2015 considered issue whether these two establishments had two separate kitchens. In that background parties were heard. Material pointed out by the parties had been looked into. Availability of two independent food licenses does not by itself imply that the establishments were separate. The provident fund authorities paid visit to establishment on 31st of January, 2006 and thereafter show cause notice for clubbing and coverage was issued. The defence that there were two separate kitchens was never specifically raised. After the second establishment was closed down on 13th of March, 2007, the defence has been raised.

We, therefore, find no case is made out for review. M.C.A. is rejected.

JUDGE

JUDGE

Chute.