

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

WRIT PETITION NO. 3245 OF 2016

Sidheshwar Sahkari Sakhar Karkhana Ltd. ...PETITIONER

versus

The Asstt. Provident Fund Commissioner(Comp.)
and another ...RESPONDENTS

.....
Mr. Abhijit C. Darandale, Advocate for petitioner
Mr. K.B. Chaudhary, Advocate for respondents.
.....

**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 29th APRIL, 2016.

Order :-

1. Mr. Darandale, learned counsel for petitioner submits that respondents have issued corrigendum and the amount of liability of the petitioner has been reduced and the petitioner had paid the amount determined under section 7Q of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (For short "Act of 1952) and the amount under section 14B of the Act of 1952 is determined at Rs.48,81,584/-, the petitioner would pay the same in seven installments by November, 2016.

2. Mr. Choudhary, learned counsel submits that the petitioner has to pay said amount in lump sum. The petitioner has deposited the amount of Rs. 7,00,000/- (Rupees Seven Lakhs) before the Tribunal and the same be paid to present respondents.

3. We have considered the submissions advanced by both learned counsel. The amount outstanding is not disputed by both the parties.

4. Considering the above, we pass following order:-

The petitioner shall withdraw the appeal filed before the Tribunal. An amount of Rs.7,00,000/- (Rupees Seven Lakhs) deposited by the petitioner before the Tribunal is allowed to be withdrawn by respondents. The petitioner shall deposit the amount of Rs. 48,47,011/- shown as outstanding, in the installments as detailed by the petitioner in paragraph No. 8 of the Minutes of the order.

5. In view of the fact that corrigendum is already issued and so also petitioner is allowed to deposit the amount by installments, the impugned order stands quashed and set aside.

6. Writ petition, as such, stands disposed of in above terms.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

MTK