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

**WRIT PETITION NO.1189/2011**

Chagan Pawalas Bhalekar & others.  
...Petitioners..

**Versus**

The Union of India & others.  
...Respondents...

.....

Shri Bhushan V. Virdhe, Advocate for petitioners.  
Shri A.G. Talhar, Standing Counsel for respondent no.1.  
K.B. Choudhari, Advocate for respondent no.2.  
Respondent nos.3 to 5 served.

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**CORAM: S.V. GANGAPURWALA &  
K.L. WADANE, JJ.**

**DATE: 20.08.2016**

**ORDER :**

1] Shri B.V. Virdhe, learned counsel for the petitioners submits that the petitioners are employees of respondent nos.3 to 5. The provident fund amount is not being deposited in the accounts of the present petitioners. The respondent no.2 is also not taking any steps to recover the amount from the respondent nos.3 to 5. It is the duty of the respondent no.2 to take measures to recover the said amount from the respondent nos.3 to 5.

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2] Shri K.B. Choudhary, learned counsel for the respondent no.2 submits that the respondent no.2 had taken measures of attaching the properties of the respondent nos.3 to 5. Pursuant thereto, the amount has been recovered and the same is deposited in the accounts of the eligible employees. An amount of Rs.1,46,781/- is still due and payable by the respondents upto January, 2016, however, the establishment has challenged the said order and prohibitory orders are passed by the Court.

3] Statement made by the learned counsel for the respondent no.2 is accepted. In view of the statement of the respondent no.2 that the amount has been recovered and deposited in the accounts of the eligible persons and for remaining amount of Rs.1,46,781/-, there are prohibitory orders, we dispose of the writ petition with no order as to costs. In case the claim of the petitioners with regard to the amount under the provident fund would still subsist, the petitioners are at liberty to take such further steps as are permissible in law.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)