

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2275 OF 2016
IN
CIVIL APPLICATION NO.2905 OF 2015
IN
REVIEW PETITION NO. 131 OF 2015
IN
WRIT PETITION NO.5434 OF 2015**

Colour Tek **..Applicant**
Vs.
Asst. PF Commissioner (Compliance EPFO) & Ors **..Respondents**

Mr. A. P Wachasunder for the Applicant
Mr. Suresh Kumar for the Respondents

CORAM : R. M. SAVANT, J.
DATE : 31st AUGUST, 2016

P.C.

1 The above Civil Application has been filed by the Applicant for a direction that the registry of this Court be directed to refund the amount of Rs.1,00,000/- deposited by the Applicant on 4-3-2016 as per the compliance pursis (Exhibit 3) in the interest of justice. The said amount of Rs.1,00,000/- was deposited by the Applicant pursuant to the order dated 23-2-2016 wherein the statement of the Learned Counsel for the Applicant that to show its bonafides the Applicant would deposit an amount of Rs.1,00,000/- in this Court was recorded. The said Petition was thereafter dismissed by order dated 15-3-2016. In the said order it is recorded in paragraph 4 to the following effect :

“4. As far as the deposit made by the Applicant in the Court, it is open to the Applicant to withdraw the same if it chooses to do so.”

2 It seems that the Review Petition filed by the Petitioner was also dismissed. In view of what has been recorded in paragraph 4, the above Civil Application would have to be allowed and is accordingly allowed in terms of prayer clause (a). The Learned Counsel Mr. Suresh Kumar has no objection to the said prayer being granted in view of what has been recorded in paragraph (4). The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]