

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

WRIT PETITION NO.7136/2014

Vidya Mandir High School Kamptee Colliery, Kanhan, Tah. Parseoni, Distt. Nagpur,
through its In-charge Headmistress

..VS..

Assistant Provident Funds Commissioner Regional Office, Raje Raghuji Nagar, Nagpur
and others

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : 20.7.2016.

Heard Shri S.S. Ghate, Advocate for the petitioner, Shri (Dr.) R.S. Sundaram, Advocate for the respondent Nos.1 and 3 and Shri M. Anilkumar, Advocate for the respondent No.2.

The respondent No.1, by the order dated 26th September, 2014, has directed the petitioner to deposit amount of Rs.18,67,949/- as per the provisions of Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the Scheme framed under it. This order is challenged by the petitioner before the Employees Provident Funds Appellate Authority and an application praying for interim order is also filed. The Appellate Authority, by the impugned order, has stayed the order passed by the respondent No.1 - Assistant Provident Funds Commissioner on condition that the petitioner deposits an amount of Rs.10,00,000/- within four weeks. This order is challenged by the petitioner.

As the matter is pending before the Appellate Tribunal, I refrain from delving into the merits of the matter.

In my view, considering the facts of the case, the following order would sub-serve the ends of justice.

(i) The Appellate Tribunal shall dispose the appeal filed by the petitioner within six months.

(ii) The orders passed by the respondent No.1 - Assistant Provident Funds Commissioner on 26th September, 2014 and 1st October, 2014 shall stand stayed till the decision of the appeal by the Appellate Tribunal.

(iii) The petition is allowed in the above terms.

(iv) In the circumstances, the parties to bear their own costs.

JUDGE

Tambaskar.

CERTIFICATE

“ I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order”.

Uploaded By : N.V. Tambaskar.
Personal Assistant.

Uploaded On : 20.7.2016.