

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

WRIT PETITION NO. 3147 OF 2017

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mrs. Anjali Purav for the Petitioner.

Mr. Suresh Kumar for the Respondent.

CORAM : K. K. TATED, J.

DATED : 16/03/2017

PC.:

. Heard learned Counsel for the parties.

2 By consent of both the parties, matter is taken on board for final hearing at the stage of admission itself.

3 By this petition under Articles 226 & 227 of the Constitution of India the Petitioner challenges the order dated 25.01.2017 passed by Respondent No.1 and letter dated 23.02.2017 issued by Respondent No.2 to the Bank of Baroda, Lonawala Branch restraining the petitioner from operating their bank account No. 21019 in the recovery proceeding for sum of Rs.13,04,187/-.

4 The learned counsel for the petitioner submits that she received instructions to withdraw the present petition with liberty to file Appeal challenging the order dated 09.12.2016 passed by

the Regional Provident Fund Commissioner-II under Section 7A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952.

5 The learned counsel for the Petitioner submits that petitioner will take at least two weeks to file appeal and move before the Appellate Authority for appropriate order. She submits that till that time, the operation and implementation of letter dated 23.02.2017 issued by Respondent No.2 to the Branch Manager, Bank of Baroda, Lonawala Branch, Lonawala, Pune be stayed. She further makes a statement that petitioner will maintain minimum sum of Rs.5 lakhs in the said account, till obtaining further orders from the Appellate Authority.

6 Statement made by learned counsel for the petitioner is accepted.

7 Considering this fact, following order is passed:

a) Writ Petition stands disposed of as withdrawn.

b) Liberty granted to the petitioner to file appropriate Appeal before the Appellate Authority and move for ad-interim relief.

c) Till further orders from Appellate Authority, the operation and implementation of letter dated 23.02.2017 issued by the Assistant Provident Fund Commissioner, Regional Office, Pune

to the Branch Manager, Bank of Baroda, Lonawala Branch, Lonawala, Pune is stayed.

d) Petitioner can operate the said account No. 21019 keeping minimum balance of Rs.5 lakhs till further orders from the Appellate Authority.

e) Writ Petition stands disposed of accordingly.

(K.K.TATED, J.)