

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION
WRIT PETITION NO. 7630 OF 2017

M/s. Philia Hospital

... Petitioner

Versus

Assistant Provident Fund Commissioner

... Respondent

Ms. Yogita Deshmukh for the Petitioner.

Ms. S.V. Bharucha for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 13th NOVEMBER, 2017

P.C.:

1. Heard the Learned Advocates appearing for the parties. The following order is passed, by consent :-

(a) The order passed by the Presiding Officer, Employees Provident Fund Appellate Tribunal, New Delhi in ATA No.782(9) of 2016, dated 30th January, 2017 is set aside.

(b) The Appeal filed by the Appellant under section 7-I of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 against the order dated 20th June, 2016 passed by Assistant Provident Fund Commissioner, Kandivali under Section 14B and 7Q of the Act shall be heard afresh.

(c) Employees Provident Fund Appellate Tribunal, New Delhi shall transfer the papers in ATA No.782(9) of 2016 to the concerned Central Government Industrial Tribunal within a period of two weeks from today.

(d) The Concerned Central Government Industrial Tribunal shall hear the Appeal afresh and pass its orders within a period of four weeks from the date of receipt of the papers.

(e) Parties and/or their Advocates shall appear before the concerned Central Government Industrial Tribunal on 28th November, 2017 at 11.00 a.m. and after producing a copy of this order obtain necessary directions in the matter.

(f) All contentions of the parties are kept open.

2. The above Writ Petition is accordingly disposed off.

(S.J.KATHAWALLA, J.)