

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

WRIT PETITION NO. 13863 OF 2016

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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Mr. Kiran Bapat i/b Desai & Desai Asso. for the Petitioner.

Ms. Sangeeta Yadav i/b Suresh Kumar for the Respondent.

CORAM : K. K. TATED, J.

DATED : 31/01/2017

PC.:

. Heard learned Counsel for the parties.

2 By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 19.08.2016 passed by the Sub-Regional Officer, Kolhapur in a proceeding under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, rejecting petitioner's application dated 20.01.2016 for permission to cross-examine the following officers.

1) *Shri. P. D. Jamadgni, then Enforcement officer of Sub-Regional Office Kolhapur.*

2) *Shri. Prakash J. Naik, then Enforcement officer of Sub-Regional Office Kolhapur.*

3) *Shri. A.R. Kulkarni, Asst. Provident Fund*

Commissioner of Sub-Regional Office, Kolhapur.

4) *Shri. Nitin G. Bakote- then Enforcement officer of Sub-Regional Office Kolhapur.*

3 During the course of the arguments, the learned counsel for the Respondents submits that she received instructions from the concerned Authority that they have no objection to allow the petitioner to cross-examine the above mentioned four officers. To that effect, she has given in writing on Farad. Same is taken on record and marked "X" for its identification.

4 Considering the submissions made by the learned counsel for the petitioner and consent given by the Counsel appearing on behalf of respondents, by consent following order is passed:

a) Order dated 19.08.2016 passed by the Sub-Regional Officer, Kolhapur in a Proceeding under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 rejecting petitioner's application/request for cross examination of Respondent's officers, is set aside.

b) Petitioner is permitted to cross-examine the following officers in a proceeding under Section 7A of the said Act.

1) *Shri. P. D. Jamadgni, then Enforcement officer of Sub-Regional Office Kolhapur.*

2) *Shri. Prakash J. Naik, then Enforcement*

officer of Sub-Regional Office Kolhapur.

3) *Shri. A.R. Kulkarni, Asst. Provident Fund Commissioner of Sub-Regional Office, Kolhapur.*

4) *Shri. Nitin G. Bakote- then Enforcement officer of Sub-Regional Office Kolhapur.*

5 The Writ Petition shall stands disposed of accordingly.

6 Parties to act on authenticated copy of this order.

(K.K.TATED, J.)