

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 1827 OF 2017**

Top Syringe Manufacturing Co. Petitioner

Vs.

Assistant Provident Fund Commissioner Respondents
and another

Ms. Yogita Deshmukh for the Petitioner
Ms. S. V. Bharucha for Respondents

**CORAM : NARESH H. PATIL &
Z. A. HAQ, JJ.**

DATE : 28th SEPTEMBER 2017.

P.C.

1 The learned counsel appearing for the petitioner submitted that Provident fund dues against the petitioner comes to Rs. 29,03,331/-. The petitioner had deposited Rs. 6,00,000/- with the Provident Fund authorities earlier. In all the petitioner paid Rs. 16,00,000/- with the Provident Fund Department against the total claim. The counsel appearing for the respondent does not dispute this statement but insist that the petitioner shall be now directed to deposit entire balance amount within one month.

2 The learned counsel appearing for the petitioner submits that the concerned unit got closed down. There are certain financial difficulties with the

petitioner to pay the amount at once. The counsel submits that looking to the bonafides of the petitioner, three installments of Rs. 5,00,000/- each may be made available to the petitioner so that the remaining amount of Rs. 13,03,331/- be deposited with the department without seeking any further extension.

3 In the facts, we find that the suggestion made by the petitioner is worth considering. We therefore direct that the petitioner shall deposit first two installments of Rs. 5,00,000/- within two consecutive months and the remaining shall be deposited in the third month. In case, the petitioner defaults in any of the installments, respondent is at liberty to adopt appropriate steps in accordance with law. For a period of three months, we direct the respondent not take any coercive steps, except in case of default on the part of the petitioner.

4 Writ petition stands disposed of.

5 List the petition after three months for ascertaining compliance of the order of this Court.

[Z. A. HAQ, J.]

[NARESH H. PATIL, J.]