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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6586/2017
SHRI BHOGAVATI SHETKARI SHIKSHAN PRASARAK
MANDAL Petitioner
Through Mr. S.K. Gupta, Adv.
versus

UNION OF INDIA & ORS Respondent
Through Mr. Dev P. Bhardwaj, CGSC for
UOI/R-1.
Mr. Arvind Kumar Verma, Adv. for
R-3.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **02.08.2017**

Respondent no. 2 arrayed on record is a proforma party.

As observed vide proceedings dated 01.08.2017, the prayer in Clause [b] of the petition seeking that Sections 156 to 159 and 154 of the Financial Act, 2017 be declared unconstitutional, has already been withdrawn on behalf of the petitioner.

During the course of the submissions that have been made on behalf of the petitioner, it has been submitted that the jurisdiction of the EPFAT has since vide Notification No. 1501 S.O. 1696 (E) dated 26.05.2017 in terms of Section 7D of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 have been transferred to the Industrial Tribunal constituted by the Central Government.

It has been submitted on behalf of the petitioner and not refuted on

behalf of the respondents no. 1 & 3 that the records of the EPFAT from Delhi have yet to be shifted to Mumbai and that the petitioner situated at Kolhapur would fall with the jurisdiction of the Mumbai CGIT. It has been submitted on behalf of the petitioner that as the CGIT has not yet started hearing the matters in relations to Section 7D of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 in terms of the Notification No. 1501 S.O. 1696 (E) dated 26.05.2017.

Taking the said aspect into consideration, subject to the petitioner depositing a sum of Rs.1,93,107/- i.e. the interest awarded in terms of the Section 7Q vide order No. MH/104692/PF/SRO/KOL/14-B Order/DAM/204 dated 12.05.2017 with the EPFO at Kolhapur within a period of two weeks in the form of an FDR, which is directed to be converted in an auto renewal mode till further orders till the CGIT at Mumbai takes up the proceedings challenging the impugned orders Nos. MH/104692/PF/SRO/KOL/14-B Order/DAM/204 dated 12.05.2017 u/s 14B and u/s 7Q of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, the coercive action in terms of the said orders shall stand stayed.

The petitioner further submits that further relief would be sought before the CGIT at Mumbai.

In view thereof, the petition calls for no further action and is disposed of accordingly.

ANU MALHOTRA, J

AUGUST 02, 2017/mk