

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 992 OF 2018

Khandesh College Education Society's Girls
and Boys Hostel

.. **Petitioner**

Versus

The Assistant Provident Fund Commissioner .. **Respondent**

Shri V. D. Hon, Senior Advocate i/b Shri A. V. Hon, Advocate for
the Petitioner.

Shri K. B. Choudhari, Advocate for Respondent / Sole.

CORAM : **S. V. GANGAPURWALA &**
A. M. DHAVALA, JJ.

DATE : **24th January, 2018**

PER COURT :

1. The petitioner has filed an appeal against the order passed under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952. The petitioner also filed an application for stay. The application is rejected. The account of the petitioner is attached.

2. Mr. Hon, learned Senior Advocate submits that the petitioner has deposited an amount of Rs. 3 Lacs 48 with the respondent. The total claim is of Rs. 12 Lacs and odd.

3. Mr. Choudhari, learned advocate for the respondent submits that the petitioner is required to deposit the entire amount. The amount is for the benefit of the employees.

4. We have considered the submissions canvassed by the learned counsel for respective parties.

5. The appeal is subjudice before the Appellate Authority. The account of the petitioner is attached. As per the statement of the petitioner, the petitioner possess immovable property,

6. Considering the above, we pass the following order-

ORDER

I] The petitioner shall deposit further amount of Rs. 3 Lacs with the respondent.

II] On depositing of further amount of Rs. 3 Lacs, the petitioner's account be released and no further recovery be claimed pursuant to the order under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 till the disposal of the appeal.

7. The writ petition is accordingly disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]