

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATION NO. 244 OF 2018

IN

WRIT PETITION NO. 6901 OF 2017

Kolhapur Zilla Nagari Banks Sahakari
Association Ltd. Kolhapur and Ors. ... Applicants

Versus

Regional Provident Fund Commissioner (II)/
O.I.C. & Ors. ... Respondents

Mr. Vivek Walavalkar i/by Mr. Vishwajeet Kapse for the applicant.

Mr.Suresh Kumar a/w Priyanka Tiwari for the applicants in Civil
Application No.3406 of 2017.

Mr. C.P. Yadav for respondent no. 2.

**CORAM : SHANTANU KEMKAR &
M.S. KARNIK, JJ.**

DATE : APRIL 20, 2018

P.C.:

Parties through their counsel.

2. On 28/06/2017, Writ Petition No. 6901 of 2017 was disposed of by this Court by directing the competent authority of the respondents to consider petitioner's grievance and pass a reasoned order in the matter taking into consideration the provisions of section 7A of the EPF Act.

3. According to the learned counsel for the parties, thereafter, the Assistant Provident Fund Commissioner, Regional Office, Kolhapur has passed the order on 16.2.2018 which reads thus :

“Therefore, I, the undersigned under power vested u/s.7A of the & MP Act 1952 hereby order that EPF & MP Act is not applicable to M/s. The Kolhapur Zilla Nagari Saakari Bank Association, 1458/B Ward, G.N. Chambers, Kolekar Tikati, Mangalwar Peth, Kolhapur and the issue regarding PF enrollment of pigmy Agents engaged by the member's Banks of the said Associations be resolved by conduction 7A inquiry separately.”

4. According to learned counsel for the parties, this Civil Application can be disposed of by directing the respondent Authorities under the EPF Act to issue individual notices to the members of the petitioner association and after giving them opportunity of hearing to pass appropriate orders. Prayer is allowed. Civil Application is disposed of in the above terms.

5. In view of the above, Civil Application No. 3046 of 2017 also stands disposed of by extending the time fixed by this court to pass a fresh order, upto the date when the order is passed.

(M.S. KARNIK, J.)

(SHANTANU KEMKAR, J.)