

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6817 OF 2018

Bhiwandi Nizampur Nagarpalika College ...Petitioner

Vs.

The Regional Provident Fund Commissioner & Anr. ...Respondents

Mr.Aumkar Joshi for Petitioner.

Mr.Suresh Kumar for Respondents.

Dr.Ashok D. Wagh, Principal of Petitioner.

CORAM : S.C. GUPTE, J.

DATE : 2 AUGUST 2018

P.C. :

This petition challenges orders passed by the Assistant Provident Fund Commissioner under Sections 7-A and 7-B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and consequential orders passed under Section 8-F of that Act in pursuance of those orders.

2 After the matter is heard at some length, it is agreed between learned Counsel for both parties (learned Counsel for the Petitioner agreeing upon instructions of the principal of the Petitioner college) that the petition may be disposed of by quashing and setting aside the impugned orders and remanding the inquiry under Section 7-A as well as Section 7-B to the concerned authority of the Provident Fund organisation for a fresh hearing in accordance with law. It is ordered accordingly. All rights and contentions of the parties on merits are kept open. Any amount, which has already been paid by the Petitioner establishment, may be

adjusted towards such amount as may be determined by the competent authority.

3 The petition is disposed of.

(S.C. GUPTE, J.)