

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

WRIT PETITION NO. 13471 OF 2017

General Travels (I) Pvt.Ltd.

...Petitioner

Vs.

for Regional Provident Fund Commissioner, Mumbai & Anr. ..Respondents

Mr.V.P. Vaidya I/b. Mahendra Agvekar for Petitioner.

Mr.A.R. Metkari, AGP for Respondent Nos.4 and 5.

CORAM : S.C. GUPTE, J.

DATE : 11 JUNE 2018

P.C. :

This petition challenges an order passed by the Regional Provident Fund Commissioner under paragraph 26B of Employees' Provident Fund Scheme, 1952. By the impugned order, the Provident Fund Commissioner held that the second Respondent employee was entitled to be a member of the Provident Fund with effect from 1 April 2005 since his salary was below the statutory limit prescribed for excluded employees. After this order, the Provident Fund Authorities also appear to have initiated action against the Petitioner employer. The proceedings are being separately contested by the Petitioner. The challenge to the impugned order is, accordingly, rendered infructuous and the petition is, accordingly, dismissed.

(S.C. GUPTE, J.)