

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11274 OF 2019

TULJABHAVANI ZILLA DUDH UTADAK VA PRAKRIYA SANGH
MARYADIT, OSMANABAD, THROUGH ITS LIQUIDATOR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Bagal Vishal A.
AGP for Respondent No. 1 : Mr. K. B. Jadhavar
Advocate for Respondents No. 2 & 3 :
Mr. N. K. Choudhari

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CORAM: S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE: 13th SEPTEMBER, 2019

PER COURT:

1. Paragraph no. 12 of the affidavit in reply filed by the Assistant Provident Fund Commissioner (Legal), on behalf of respondents no. 2 and 3 reads thus -

"12. In reply to Para No. 14 of the Writ Petition, I say and submit that, in the event, the petitioner establishment tender an undertaking in this Hon'ble High Court inter alia to the effect that, the entire outstanding amount of the provident fund dues, damages and interest would be paid/deposited in the office of the answering Respondents, in priority over all other outstanding debts payable by the establishment, within a period of three (3) months from the date of the order passed by

this Hon'ble Court, then the Recovery Officer, may revoke the attachment order passed u/s 8F of the Act, subject to future attachment, if the petitioner fails to abide its commitment as would be given in the undertaking."

2. Pursuant thereto, the petitioner has filed an undertaking to this Court. The learned counsel submits that the amount of provident fund, damages, interest outstanding towards the petitioner institution shall be paid within a period of three (03) months from today on priority basis.

3. The said statement alongwith undertaking filed in the Court is accepted.

4. Mr. Choudhari, learned counsel submits that, respondents no. 2 and 3 would abide by the affidavit filed by them and paragraph no. 12 reproduced supra.

5. Writ Petition stands disposed of accordingly.

No costs.

[ANIL S. KILOR, J.] [S. V. GANGAPURWALA, J.]
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