

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 770 OF 2018

CAMBRIDGE EDUCATIONAL SOCIETY,
REP. BY ITS SECRETARY, SAJID ALI
AND ANR.,

... Petitioners

Versus

THE REGIONAL PROVIDENT FUND
COMMISSIONER, PANAJI AND ANR.,

... Respondents

Shri G. K. Sardesai, Advocate for the Petitioners.
Shri C. A. Ferreira, Advocate for the Respondent no.1.

Coram:- C. V. BHADANG, J.

Date:- 25th January 2019

P.C.

Heard Shri G.K. Sardesai, learned Counsel appearing for the petitioners and Shri C. A. Ferreira, learned Counsel appearing for the respondent no.1.

2. The petitioner has challenged the order dated 16.01.2018 passed by the Presiding Officer, Central Government Industrial Tribunal (Tribunal, for short), granting stay of the order passed by the authorised officer i.e. the Regional Provident Fund Commissioner under Section 7 of the Employee Provident Fund Act subject to deposit of 50% of the assessed amount. The 50% of the assessed amount comes to approximately Rs.45,00,000/-.

3. The learned Counsel for the petitioners states that he has

deposited an amount of Rs.20,00,000/- before the Provident Fund Commissioner and undertakes to deposit another Rs.5,00,000/- within a period of two weeks from today. The statement is accepted.

3. Thus, on deposit of the said amount, the total amount deposited will come to Rs.25,00,000/-. It is submitted that the petitioner is an Educational Institution and this Court may consider modifying the impugned order of stay restricting it to the deposit of Rs.25,00,000/-.

4. On hearing the learned Counsel for the parties, I find that the impugned Order can be modified as prayed. Accordingly the petition is allowed. The impugned order is modified. There shall be interim stay of the order passed by the authorized officer subject to the condition of the petitioner depositing a further sum of Rs.5,00,000/- within two weeks from today with the Provident Fund Commissioner.

5. The petition is disposed off in the aforesaid terms with no order as to costs.

C. V. BHADANG, J.