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

WRIT PETITION NO.1026 OF 2019

AKT Business Services Pvt. Ltd.

.. Petitioner

Vs.

Assistant Provident Fund Commissioner

.. Respondent

Ms. B.N. Barnes for the petitioner.

Mr. Suresh Kumar a/w Ms. Priyanka Tiwari for the respondent.

CORAM : A.K. MENON, J.

DATED : 28TH JANUARY, 2019.

P.C. :

1. The challenge in this petition is to an order of attachment of bank account no.5402320005970 vide order dated 30th July, 2018. It is not in dispute that an appeal lies from the order impugned. However, the grievance of the petitioner is that the Presiding Officer, CGIT-1 is not available and hence she constrained to approach this Court. The bank account is stated to be used for day to day transactions including payment of salaries and which cannot now be operated due to the impugned order. She is willing to make a sizeable deposit without prejudice to her rights and contentions before the CGIT-2. Accordingly this petition can be disposed with the following order;

(i) Subject to the petitioner depositing a sum of Rs.10 lakhs with the respondent within a period of two weeks from today, the impugned order for

attachment of bank account will set aside. If the deposit is made, the CGIT-2 will hear the matter on merits along with the stay application, if any, filed by the petitioner.

(ii) The operations of the bank account will be permitted upon proof being made with the respondent and the respondent shall therefore issue an appropriate clarification vacating the attachment upon the deposit being made.

(iii) Petition disposed in the above terms.

(iv) Parties to act on an authenticated copy of this order.

(A.K.MENON,J.)

wadhwa