

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4240 OF 2018

WITH

WRIT PETITION NO. 4941 OF 2018

Central Board of Trustees, EPF

.. Petitioner

Vs.

Kaivalyadham Shriram Madhavan

.. Respondent

Yoga Mandir Samiti

Mr. Suresh Kumar a/w. Ms. Mohini Chougule for the Petitioner.

Ms. Nandini Menon a/w. Ms. Khushboo Rupani i/b. Maniar Srivastava
Associate for the Respondent.

CORAM : A.K. MENON, J.

DATED : 4th FEBRUARY, 2019.

P.C. .

1. After this matter was heard for some time, Mr. Suresh Kumar states that the respondent ought to have been covered from 1982 in both these cases and that merely because the respondent had applied belatedly and codes were adopted separately. The contention of the petitioners is that the respondents were liable to pay right from 1982. The impugned orders have not taken into consideration the factual aspects of coverage from 1982.

2. In the facts of the case it is appropriate that the matter is remanded for fresh consideration with liberty to both sides to supplement pleadings

which are already on record. Accordingly I pass the following order :

- (i) The impugned orders are set aside. The matter is remanded to the Appellate Tribunal for fresh determination with liberty to file additional pleadings within four weeks from today.
- (ii) Irrespective of whether additional pleadings are filed the Appellate tribunal shall decide the matter within 12 weeks from today .
- (iii) Writ Petitions disposed of in the above terms.

(A.K. MENON,J.)