

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2685 OF 2016

Relief Lab Pvt. Ltd. Kalmeshwar, Nagpur, Thr. Its Director Samer S. Sangtani
-vs-

Assistant Provident Fund Commissioner, Raghuji Nagpur, Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. J. Pathak, Advocate for petitioner.

Shri H. N. Verma, Assistant Government Pleader for
respondent.

CORAM : A.S.CHANDURKAR, J.

DATE : June 24, 2019

Heard the learned counsel in view of the notice for
final disposal of the writ petition.

The petitioner has challenged the order dated
07/04/2016 passed under Section 7B of the Employees
Provident Fund And Miscellaneous Provisions Act, 1952
(for short, the said Act). By that order the Assistant
Provident Fund Commissioner has refused to review the
order passed under Section 7A of the said Act dated
16/03/2016.

2. Shri H. N. Verma, learned counsel for the
respondent submitted that a remedy under Section 7I of
the said Act is available for being availed by the

petitioner. He submits that such liberty could be granted to the petitioner since various disputed questions arise for adjudication in the writ petition.

3. Shri A. J. Pathak, learned counsel for the petitioner submits that as the learned Member of the Tribunal was not available at the relevant time, the present writ petition came to be filed. He seeks liberty to file an appeal before the Tribunal within period of four weeks from today.

4. The Writ Petition is accordingly disposed of by granting liberty to the petitioner to avail the statutory remedy under Section 7I of the said Act within period of four weeks from today. If such appeal is filed within said period of four weeks, same shall be entertained without going into the question of delay. All points raised in the petition are kept open.

No costs.

JUDGE