

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 6488 OF 2017

M/s. Chitra Talkies, thr. Its Partner

..vs..

The Regional Provident Funds Commissioner, Nagpur and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. Choubey, Advocate holding for Shri N.S. Bhattad,
Advocate for the petitioner.

Ms. Laxmi Malewar, Advocate for respondent no. 1.

Shri V.A. Aurangabadkar, Advocate for respondent no.3.

CORAM : A.S. CHANDURKAR AND VINAY JOSHI, JJ.
DATED : 23rd JANUARY, 2020.

The limited relief sought in this writ petition is the issuance of direction to the respondent no. 2 – Employee Provident Funds Appellate Tribunal through the Registrar to transfer all the case papers pertaining to the appeal filed by the petitioner challenging the order passed under Section 14(B) of the Employees Providence Funds and Miscellaneous Provisions Act, 1952 to the Central Government Industrial Tribunal at Nagpur, on the ground that jurisdiction now vests with the Central Government Industrial Tribunal.

2. Considering the aforesaid limited prayer and there is no dispute that the jurisdiction now lies with the Central Government Industrial Tribunal, Nagpur, the following order is passed :

- (i) The respondent no. 2 within a period of eight weeks from today shall take all necessary steps to transfer the proceeding - No.PF Appeal

(Lodging) No. D/19/2017 (Chitra Talkies V/s RPFC) to the Central Government Industrial Tribunal, Nagpur.

- (ii) After receiving entire record, the Tribunal shall proceed to decide the appeal on its own merit and in accordance with Law. Needless to state that the Tribunal shall issue fresh notices to the parties.

3. With these directions the writ petition is disposed of accordingly.

4. The amount of Rs.15,000/- with accrued interest deposited by the petitioner shall be transferred to the Central Government Industrial Tribunal as that amount has been deposited in compliance with the interim order passed by this Court. Such deposit would be subject to final orders of the Tribunal.

(VINAY JOSHI, J.)

(A.S. CHANDURKAR, J.)