

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3450 OF 2022

M/S. VILAS SAHAKARI SAKHAR KARKHANA LTD. THROUGH ITS
AUTHORIZED OFFICER ASHOK HANMANTRAO TODKAR
VERSUS
THE REGIONAL PROVIDENT FUND COMMISSIONER – II, SOLAPUR

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Advocate for Petitioner : Mr. Ashwin V. Hon
Advocate for Respondent : Mr. N. K. Choudhari

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 04TH APRIL, 2022

PER COURT :

1. The learned advocate for respondent has placed on record order passed by the Coordinate Bench of this Court in Writ Petition No.3858/2022 in similar circumstances.

2. Admittedly, the petitioner has challenged the order passed by the Regional Provident Fund Commissioner-II, EPFO, RO Solapur, under Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. An amount of Rs.44,92,148/- is assessed towards the damages. The petitioner has already preferred appeal before the Central Government Industrial Tribunal (C.G.I.T.), Mumbai. Since no Presiding Officer is available at Central Government Industrial Tribunal at Mumbai as well as Nagpur, the present petition is filed. This Court by

order dated 11-03-2022 directed the petitioner to deposit an amount of Rs.22,50,000/- with the respondent and the petitioner has complied the said order.

3. In view of the aforestated facts, the writ petition is disposed off with following directions:

- (I) After the Presiding Officer takes charge of the Central Government Industrial Tribunal-2, the appeal preferred by petitioner shall be decided within a period of four months thereafter, after giving opportunity of hearing to petitioner.
- (II) Till then no coercive steps shall be taken against petitioner for recovery of the amount.
- (III) Till the decision of the Central Government Industrial Tribunal-2, the impugned order dated 27-12-2021 shall remain stayed.

4. Writ petition is disposed off in above terms.

(NITIN B. SURYAWANSHI, J.)