

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5826 OF 2016

Salma S. Siddique & Others ... Petitioners.

V/s.

The Assistant Provident Fund Commissioner,
Employees PF Organization & Others ... Respondents.

Mr. Sachin S. Punde, for the Petitioner.

None for the Respondents.

**CORAM : NITIN JAMDAR AND
AMIT B. BORKAR, JJ.**

**DATE : 6 JANUARY 2022.
(Through Video Conferencing)**

P.C. :

These Petitioners have approached this Court in respect of an order passed by the Provident Fund Authorities under Section 7-A of the Employees Provident Fund and Miscellaneous Provision Act, 1952.

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2. The Petitioners are employees / teaching staff of the Respondent – Management. The Respondent – Management had challenged the order passed by the Provident Fund Authorities in an Appeal provided under the Act. The Appellate Authority had set aside the order directing the Respondent – Management to pay the contribution by order dated 7 August 2012. Being aggrieved, the

Union of India through the Provident Fund Commissioner filed Writ Petition No. 9731 of 2013. In this petition, the Petitioners had appeared as intervenors. By an order dated 23 April 2014 the learned Single Judge issued Rule and the said Writ Petition is pending.

3. Since the very order which is sought to be enforced by way of this petition is the subject matter of another writ petition pending before the learned Single Judge, separate proceedings cannot be initiated before this Court. The Petitioners are already before the learned Single Judge in Writ Petition No. 9731 of 2013. The appropriate course for the Petitioners is to request the learned Single Judge for early hearing of the said petition.

4. With these observations, the Writ Petition is disposed of.

(AMIT B. BORKAR, J.)

(NITIN JAMDAR, J.)