

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9279 OF 2022

Nashik District Central Co-operative
Bank Ltd.

... Petitioner

Versus

The Regional Provident Fund,
Commissioner-I, Nashik & Anr.

... Respondents

**WITH
INTERIM APPLICATION NO. 19654 OF 2022
IN
WRIT PETITION NO. 9279 OF 2022**

Nashik District Central Co-operative
Bank Ltd.

... Applicant

Versus

The Regional Provident Fund,
Commissioner -I, Nashik & Anr.

... Respondents

.....

Mr. S.S.Patwardhan with Ms.Mrinal Shelar for the Petitioner.

Mr.Shamiana i/b. Mr. Rakesh Samant for Respondent No.1.

Mr. P. M. Palshikar with Mr. P. Khosla for Respondent No.2-UOI.

.....

**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 17 NOVEMBER 2022

P.C. :

Heard the learned Counsel for the parties.

2. The Petitioner has challenged the order dated 5 March 2022
passed by the Regional Provident Fund Commissioner-I, Nashik

under section 7-A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952. Since there is a remedy of approaching the Employees' Provident Fund Appellate Tribunal, the Respondents had taken objection regarding the same.

3. It was the grievance of the Petitioner that the Appellate Tribunal is not functional and does not have any judicial members. The learned Counsel for Respondent No.2- Union of India states that the judicial members have been appointed and the Appellate Tribunal, Mumbai is now functional. Statement made, on instructions, is accepted.

4. In light thereof, since the Petitioner has a remedy to approach the Appellate Tribunal in respect of such reliefs as are permissible to be made before the Appellate Tribunal including the challenge to the impugned order, the writ petition is disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)