

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2258 OF 2023

M/s. Kaya Limited

.. Petitioner

Versus

The Regional Provident Fund Commissioner-I,
EPFO.

.. Respondent

-
- Mr. Shailesh Naidu i/by Mr. Aumkar Joshi for Petitioner
 - Mr. Ravi Rattesar for Respondent
-

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 22, 2023

P.C.:

1. Heard Mr. Naidu, learned Advocate for Petitioner and Mr. Rattesar, learned Advocate for Respondent.

2. Present Petition takes exception to the order dated 13.01.2022 passed under the provisions of Section 7B in respect of the Application seeking review of the order passed under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short "**the said Act**"). Perusal of the impugned order which is at page Nos. 99-104 and more specifically on page No. 100 thereof reveals that the Petitioner has not been heard by the Competent Authority in the Review Proceedings. I need not digress much on the facts since the provisions of Section 7B of the said Act which provide for review would have to be decided after issuing an appropriate notice to the review Petitioner and all concerned parties and

adjudication would have to be done after hearing them. In that view of the matter, the impugned order dated 13.01.2022 is quashed and set aside.

3. Review Petition is remitted back for hearing to the concerned Authority who shall hear the Review Petitioner and all concerned parties and decide the same afresh in accordance with law as expeditiously as possible and in any case, within a period of two months from today.

4. All contentions of the parties are kept open.

5. Petition disposed.

Amberkar

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by RAVINDRA
MOHAN
AMBERKAR
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[MILIND N. JADHAV, J.]