

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.3769 OF 2023
IN
WRIT PETITION NO.7938 OF 2021**

General Mills India Pvt. Ltd. And Ors. ... Applicants/Petitioners
versus
Regional Provident Fund Commissioner and Ors. ... Respondent

Mrs. N.R.Patankar with Ms. Tanaya Patankar, Mr. P.M.Jadhav for
Applicant/Petitioner.
Mr. Suresh Kumar with Mr. Mohinee Chougule for Respondent Nos.1 to 3.
Mr. Anil D. Yadav with Ms. Purnima Awasthi for Respondent No.4.

CORAM: N.J.JAMADAR, J.

DATE : 5 JUNE 2023

P.C.

1. Heard the learned Counsel for the parties.
2. The Applicants have preferred this Application seeking inter alia the following directions :

“(b) be pleased to direct the Respondents to remit the sum of INR 1,37,81,983 (Indian Rupees One Crore Thirty Seven Lakh Eighty One Thousand Nine Hundred Thirty Nine only) along with accrued interest till the date of the payment to Applicant/Petitioner No.1 in time bound manner as directed by the Hon’ble Court and extend all cooperation and support to Applicant/Petitioner No.1 so as to enable the Applicant/Petitioner No.1 to remit PF accumulations of 20 (twenty) employees into their respective PF accounts;”

3. The learned Counsel for Respondent Nos.1 to 3 seeks leave to tender

Affidavit in Reply.

4. Leave granted.
5. Affidavit in Reply is taken on record.
6. Though Affidavit in Reply is filed on behalf of the Respondents contesting the averments in the Interim Application, the learned Counsel for the Respondent Nos.1 to 3, on instructions, submits that the amount which was received by the Regional Provident Fund Commissioner upon encashment of the demand draft pursuant to the order of the Court dated 1 February 2022, in Writ Petition No.7938 of 2021 and connected matters, has been deposited in an interest bearing account and the Respondent No.1 is ready and willing to return the said amount to the Applicants along with the interest accrued thereon.
7. In view of the aforesaid statement, prayer clause (b), extracted above, stands worked out. Hence, the Application stands allowed in terms of prayer clause (b).
8. Respondent No.1 shall return the amount of Rs.1,37,81,983/- along with interest accrued thereon till the date of return, to the Applicants/Petitioners within a period of three weeks from the date of communication of the particulars of the bank account of the Petitioner No.1 by the Applicants-Petitioners.
9. Respondent No.1 shall also render necessary assistance to the Applicants-Petitioners to remit the provident fund accumulations to the concerned

employees.

10. The Interim Application stands disposed.

11. Writ Petition be listed on 6 July 2023.

(N.J.JAMADAR, J.)