

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

WRIT PETITION NO. 7641 OF 2021

M/s. Suman Construction

..... Petitioner

Vs.

The Employees Provident Fund
Organization & Ors.

..... Respondents

Mr. J. N. Singh a/w. Ms. Jaymala Ostwal, Komal Gosavi I/b J. J.
Associates for the Petitioner

Mrs. Smita Thakur I/b. Mr. Suresh Kumar for the Respondents

**CORAM: S.V.GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATED : FEBRUARY 24, 2023

P.C.

1. The petition is filed to the extent of proper installments be granted.

2. The learned Counsel for the Respondents submits that Rs.39,00,000/- (Rs.Thirty Nine Lacs only) have been recovered. According to the learned counsel for the Provident Fund Department, an amount outstanding against the Petitioner is approximately Rs.29,00,000/- (Rs. Twenty Nine Lacs only).

3. It is submitted that the appeal filed by the Petitioner assailing the order of Provident Fund Department is pending before the apex

court.

4. Be that as it may, the Petitioner has approached this Court for reasonable installments. It is not disputed that the Respondents have recovered approximately an amount of Rs.33 lacs and odd.

5. Considering the difficulties expressed by the Petitioner and the fact that since 2018, the Petitioner company is closed, we pass the following order:

a. The Petitioner shall deposit an amount of Rs.10,00,000/- (Rs. Ten Lacs only) with Respondent No.3 within four week from today.

b. In case the Petitioner deposits an amount of Rs.10,00,000/- (Rs. Ten Lacs only) as directed above, then the Respondents shall release the accounts attached of the Petitioner.

c. The Petitioner shall also deposit Rs.2,00,000/- (Rs. Two Lacs only) every month with Respondent No.3 till the entire amount, as claimed by the Respondents is deposited and/or the order that may be passed by the apex court.

d. If the Petitioner commits any default in the payment as directed above, the Respondents are at liberty to take further steps.

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

(SANDEEP V. MARNE, J)

(ACTING CHIEF JUSTICE)