

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

WRIT PETITION NO. 1539 OF 2024

M/s. Matoshri Laxmi Sugar Co-
Generation Industries Ltd. Solapur

}*Petitioner*

: *Versus* :

Employees Provident Fund Organisation,
through its Asst/Regional PF Commissioner
and Recovery Officer

}....*Respondent*

WITH

WRIT PETITION NO. 65 OF 2024

Shri. Sant Kurmadas Sahakari
Karkhana Ltd.

}*Petitioner*

: *Versus* :

Employees Provident Fund Organisation,
through its Asst/Regional PF Commissioner
and Recovery Officer

}....*Respondent*

WITH

WRIT PETITION NO. 635 OF 2024

M/s. Aaradhya Infrastructure

}*Petitioner*

: *Versus* :

Regional Provident Fund Commissioner
and anr.

}....*Respondents*

WITH
WRIT PETITION NO. 1962 OF 2024

Solapur Municipal Corporation, through
the Additional Commissioner

}*Petitioner*

: *Versus* :

Regional Provident Fund Commissioner-II,
Regional Office

}....*Respondent*

Mr. Amit A. Karande, *for the Petitioner in WP-1539-2024 & WP-65-2024.*

Ms. Samiksha Kanani *a/w. Prasanna Pawar, for the Petitioner in WP-635-2024.*

Mr. Ramdas Hake Patil, *for the Petitioner in WP-1962-2024.*

Ms. Ranjana Todankar, *for the Respondent.*

CORAM : SANDEEP V. MARNE, J.

Dated : 4 July 2024.

P.C. :

1) These petitions are filed essentially on account of the fact that the Central Government Industrial Tribunal (CGIT) before whom Appeal under the provisions of Section 7-I of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (**the Act**) is maintainable, was not functional at the relevant time on account of which the Petitioners were not

in a position to pursue remedy for seeking stay against the execution of orders passed under the provisions of Section 7Q and 14B of the Act.

2) The learned counsel appearing for the parties submit that now CGIT-II is functional before whom the remedy of Appeal can be pursued by the Petitioners. It appears that the Petitioners in all the petitions have already lodged their Appeals before the Tribunal alongwith application for stay and waiver. It also appears that Petitioners have already deposited amounts arising out of orders passed under Section 7Q of the Act with the Respondents.

3) In that view of the matter, the petitions need not be kept pending any longer. Petitioners can instead pursue the remedy of Appeal, as well as, application for stay. The Writ Petitions are accordingly **disposed of** leaving open all the points raised therein and granting liberty to the Petitioners to pursue the remedy of Appeal, as well as, application for stay before the Tribunal. Till the application for stay and waiver filed by the Petitioners are decided by the Tribunal, the interim order granted by this Court shall continue to operate.

[SANDEEP V. MARNE, J.]