

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

WRIT PETITION NO.7767 OF 2024

Sant Kurmadas Sahakari Karkhana Ltd.

....Petitioner

V/S

Employees Provident Fund Organisation

....Respondent

Mr. Amit A. Karande *for the Petitioner.*

Ms. Ranjana Todankar *for Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATE : 9 JULY 2024.

P.C.:

1 The Registry has placed this Petition seeking clarification with regard to the order dated 26 June 2024.

2 It appears that by order dated 28 May 2024 this Court stayed the notice of demand dated 15 May 2024 subject to Petitioner depositing amount of Rs.6,00,485/- (being amount under Section 7Q of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952) (**the Act**) within one week and further 50% of Rs.21,46,114/- (being amount payable under Section 14B of the Act) within three weeks.

3 This Court disposed of the Petition by order dated 26 June 2024 as the Central Government Industrial Tribunal-II had become functional by that time and accordingly relegated Petitioner to exercise the remedy of the Appeal. This Court proceeded on an assumption that Petitioner has deposited Rs.6,00,485/- and Rs.10,73,067/- in this Court and accordingly permitted Petitioner to withdraw the said amount from this Court and deposit the same before CGIT-II.

4 The Registry has notified that only an amount of Rs.6,00,485/- is actually received from the Petitioner and the Pay Order for Rs.10,73,067/- got returned with remark 'MICR invalid'. The Petition is accordingly placed on board at the instance of the Registry seeking direction for deposit of said amount of Rs.10,73,067/-.

5 I am informed that CGIT-II does not have any treasury in which deposit can be made. In that view of the matter, it is appropriate that both the amounts of Rs.6,00,485/- as well as Rs.10,73,067/- are deposited by the Petitioner directly with the Respondent-EPFO.

6 Accordingly the order dated 26 June 2024 stands modified by permitting the Petitioner to withdraw the deposited amount of Rs.6,00,485/- alongwith accrued interest. The Petitioner shall deposit the amount of Rs.6,00,485/- towards section 7Q of the Act as well as 50% amount of section

14B of the Act being Rs.10,73,067/- directly before the Respondent-EPFO subject to its rights and contentions.

7 The Registry shall return Pay Order of Rs.10,73,067/- to the learned counsel for the Petitioner forthwith.

(SANDEEP V. MARNE, J.)

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