



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.1656 OF 2022

(Finaly Mills, A Unit of National Textile Corporation (Western Region) Ltd. Dist.
Amravati thr. its Assistant Manager (HR) Vs. Assistant Provident Fund Commissioner,
Akola)

WRIT PETITION NO.1698 OF 2022

(Finaly Mills, A Unit of National Textile Corporation (Western Region) Ltd. Dist.
Amravati thr. its Assistant Manager (HR) Vs. Assistant Provident Fund Commissioner,
Akola)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. M. R. Puranik, Advocate for Petitioner.
Mr. H. N. Verma, Advocate for Respondent.

CORAM: N. R. BORKAR, J.

DATE: 21st OCTOBER, 2024.

The petitioners were constrained to file the present petition as at the relevant time Employees Provident Fund Appellate Tribunal was not functional. Considering the facts and circumstances of the case this Court on 04.07.2022 passed the following order:

By these petitions, the petitioner is challenging orders passed by the respondent – Assistant Provident Fund Commissioner, imposing damages and interest under Section 14B and 7Q of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

2. It is brought to the notice of this Court that in both these cases, as against the order passed by the Authority under Section 7A of the aforesaid Act, appeals have been preferred before the Appellate Tribunal,

wherein interim orders have been passed, subject to deposit of specific amounts which, in fact, the petitioner had deposited.

3. Issue notice for final disposal, returnable on 23rd August, 2022.

4. In the meanwhile, there shall be ad-interim stay in terms of prayer Clauses (iii) and (iv) in both these petitions.

2. I am told that now the said Appellate Tribunal is functional. In that view of the matter, the following order is passed.

3. The interim order dated 04.07.2022 passed by this Court shall remain in operation till the decision of the application filed by the petitioners for stay before the Appellate Tribunal.

4. Both the petitions are disposed of in the aforesaid terms.

(N. R. BORKAR, J.)