



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

WRIT PETITION NO. 3353 OF 2024

M/s. Bharat Sanchar Nigam Limited, Nagpur
Vs.

The Recovery Officer & The Assistant Provident Fund Commissioner, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mrs. B.P. Maldhure, Advocate for petitioner.
Mr. R.K. Maheshwari, Advocate for respondent No.1.

CORAM : N.R. BORKAR, J.

DATE : 13.11.2024.

On 07.06.2024, this Court had passed the
following order :

“Heard.

2. Learned Advocate for the petitioner submits that the order dated 11.03.2024 passed by the Regional Provident Fund Commissioner-I, Nagpur has been challenged by the petitioner by way of an appeal under Section 7-I of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 before the Central Government Industrial Tribunal and the Employees Provident Funds Appellate Tribunal, Nagpur. Learned Advocate further submits that the petitioner has moved an application for stay in the said appeal. Learned Advocate submits that the Presiding Officer to preside over the Tribunal has not been appointed and the post is lying vacant and therefore, the petitioner is unable to take appropriate steps before the Tribunal for hearing of the appeal and for the decision on the stay application.

3. As per order dated 11.03.2024, the petitioner has been directed to deposit Rs.54,13,830/-. Learned

Advocate submits that a direction has been given by the Commissioner to deposit the amount within 15 days and the period would expire on 08.06.2024. Learned Advocate submits that stay may be granted to the execution of the order.

4. Perused the record and proceedings. In the peculiar facts pointed out by the learned Advocate for the petitioner as above, there shall be stay to the execution of the order till next date, subject to deposit of 25% of the amount within 15 days from today.

5. Issue notice to the respondents, returnable on 21.06.2024.”

3. I am informed that now the Central Government Industrial Tribunal is functional. In that view of the matter, the following order is passed :

(i) The interim order passed by this Court dated 07.06.2024 shall remain in operation till the decision of the stay application by the Central Government Industrial Tribunal.

4. The petition is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)