



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 WRIT PETITION NO. 7959 OF 2025

MOHD. HEDAYATULLAH WARSI
VERSUS
UNION OF INDIA AND OTHERS

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Advocate for the Petitioner : Mr. K.H. Holambe Patil (through VC)
h/f. K.K. Holambe Patil a/w. Ronit Gunale
Advocate for Resp. No.1 : Mr. S.S. Deve

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CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.
DATE : 4th July, 2025

PC. :-

1. Heard learned counsel for the Petitioner. We are of the opinion that this petition is misconceived, as grounds raised herein are without any substance. The first ground raised on behalf of the Petitioner is that the initiation of departmental enquiry is itself a non starter for the reason that the basis of the allegation appear to be an order passed by the Petitioner as the Regional Provident Fund Commissioner, while such order is appealable under Section 75 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952. The second ground raised on behalf of the Petitioner is that the memorandum issued against him is by an officer

who could not have issued the same as the Petitioner is appointed by the Central Board of Trustees of the Employees Provident Fund Organization.

2. As regards the first ground, we are of the opinion that the documents on record show the nature of allegations levelled against the Petitioner and merely because the order which is referred to in the said allegation is an order appealable by the affected party under the provisions of the said Act, cannot be a ground to challenge the initiation of an enquiry. As regards the second ground, the memorandum itself records that Central Board of Trustees of the Employees Provident Fund Organization proposed to hold an enquiry in the context of the Petitioner. It cannot be said that the issuance of memorandum and initiation of the inquiry is without jurisdiction.

3. In any case, there is no ground made out at all by the Petitioner to invoke extra ordinary jurisdiction of this Court. The Writ Petition is dismissed.

4. Pending applications, if any, also stand disposed of.

[Y.G. KHOBRADE, J.]

[MANISH PITALE, J.]