



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13891 OF 2024
IN WP/13948/2024

SANJAY KRISHNAJI BHOKARDOLE
VERSUS

MOOLJI JAITHA COLLEGE JALGAON
THR ITS PRINCIPAL AND ANOTHER

WITH

CIVIL APPLICATION NO. 13892 OF 2024
IN WP/13948/2024

SHAILESH ANAND KULKARNI
VERSUS
MOOLJI JAITHA COLLEGE JALGAON
THR ITS PRINCIPAL AND ANOTHER

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Advocate for Applicant in both matters : Mr. Bhokarikar Madhav M.
Advocate for Respondent No.1 : Mr. V. B. Patil and Mr. A. J. Pathak
Advocate for Respondent No.2 : Mr. Nitin K. Chaudhari

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WRIT PETITION NO. 13948 OF 2024

MOOLJI JAITHA COLLEGE JALGAON THR ITS PRINCIPAL
VERSUS
REGIONAL PROVIDENT FUND COMMISSIONER NASHIK

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Advocate for Petitioner : Mr. V. B. Patil and Mr. A. J. Pathak
Advocate for Respondent : Mr. Nitin K. Chaudhari

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CIVIL APPLICATION NO. 6831 OF 2025
IN WP/13948/2024

THE REGIONAL PROVIDENT FUND COMMISSIONER NASHIK
VERSUS
MOOLJI JAITHA COLLEGE JALGAON THR ITS PRINCIPAL

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Advocate for Applicant : Mr. Nitin K. Chaudhari
Advocate for Respondent : Mr. V. B. Patil and Mr. A. J. Pathak

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CORAM : ROHIT W. JOSHI, J.

DATE : 12th AUGUST 2025

ORDER :

In Writ Petition No.13948/2024 :

1. The present Petitioner had filed Appeal No.CGIT/NGP/EPFA/38/2024 assailing order dated 28.03.2024 passed by the Provident Fund Authority under Section 7A of the Employees' Provident Fund Act, 1952. At the relevant time, the Appellate Authority i.e. Central Government Industrial Tribunal, Nagpur was not manned by any Presiding Officer, therefore the Petitioner had filed Writ Petition No.3043/2024 before the Nagpur Bench of this Court. Subsequently the petition was transferred to this bench in view of territorial jurisdiction and it came to be registered as Writ Petition No.13948/2024. Vide order dated 07.05.2024, the order passed by the Provident Fund Authority was stayed subject to the Petitioner depositing 30% of the amount as computed by the said authority. The Petitioners have deposited the said amount with this Court. The said amount which was deposited at Nagpur is now transferred to this bench.

2. The parties inform that the Presiding Officer is now available and the appeal preferred by the Petitioner can be dealt with on merits by the said Appellate Authority.

3. Since the Appellate Forum is now available, the petition is disposed of relegating the parties to work out the matter before the learned Appellate Authority.

4. The interim order dated 07.05.2024 passed by this Court, is continued till adjudication of the stay application by the Appellate Authority.

5. Parties shall appear before the Central Government Industrial Tribunal, Nagpur on 08.09.2025.

6. Parties to note that separate notice of appearance will not be issued.

In Civil Application No.6831/2025 :

7. The present application is filed by the Regional Provident Fund Commissioner-1, Nashik, praying that the amount deposited by the Petitioner with this Court be permitted to be withdrawn and further seeking directions against the Petitioner to deposit balance 45% amount in view of mandate of Section 7(I) of the Employees' Provident Fund Act, 1952 which provides for 75% deposit in case of appeal preferred by the Establishment. The learned Advocate for the Petitioner does not have objection for permitting the Applicant to withdraw the amount deposited with this Court. As regards the other prayers for directions to deposit balance 45% additional amount, the same can be considered by the learned Appellate Authority.

8. The Civil Application is disposed of, permitting the Applicant/Regional Provident Fund Commissioner-1, Nashik, to withdraw amount deposited by the Petitioner with this court alongwith accrued interest, if any. A liberty is granted to make prayer for deposit of additional amount before the learned Appellate Authority.

**In Civil Application No.13891/2024 and
Civil Application No.13892/2024 :**

9. These are applications preferred by the employees of the Establishment, seeking intervention and permission to withdraw the amount deposited. Since the petition is disposed of, relegating the parties to the Appellate Authority, the Civil Applications are also disposed of, granting liberty to the Intervenor to move appropriate application before the Appellate Authority.

**ROHIT W. JOSHI
JUDGE**