



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2065 OF 2025

**M/S SHRI SAMARTHA ENTERPRISES JALGAON
VERSUS
THE REGIONAL PROVIDENT FUND COMMISSIONER - II
NASHIK**

...
Mr. Atul Pathak a/w. Mr. Ajinkya Reddy, Advocate for the
Petitioner.

Mr. Nitin K. Chaudhari, Advocate for Respondent.

...
**WITH
CIVIL APPLICATION NO. 6778 OF 2025
IN WP/2065/2025**

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 07th JULY, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. The present writ petition was filed at Nagpur Bench assailing order dated 11.01.2024 on the ground that although substantive appeal is filed before Central Government Industrial Tribunal, Nagpur (CGIT, Nagpur), such authority is not available for hearing Appeal. It is now submitted that Tribunal is available and Appeal can be heard and decided on its own merits. Therefore, purpose of filing Writ Petition does not survive.
3. It appears that, vide order dated 07.05.2024 as per statement made by learned Advocate appearing for petitioner, 30% of decretal amount is deposited in this Court. Eventually, impugned order

was stayed. In pursuance to aforesaid order, amount has been deposited with Nazir.

4. In view of aforesaid fact, following order is passed:

ORDER

a. Writ Petition stands disposed of with liberty in favour of petitioner to pursue Appeal before CGIT Nagpur. The amount deposited in this Court be transmitted to CGIT Nagpur.

b. The respondent shall be at liberty to pursue its application seeking withdrawal of amount before CGIT Nagpur.

c. In view of disposal of Writ Petition, pending Civil Application also stands disposed of.

d. The interim relief granted by this Court to continue for the period of six weeks from today. All points are kept open.

(S. G. CHAPALGAONKAR)
JUDGE