

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11466 OF 2025

Tatyaso Kore Warna Sahakari
Sakhar Karkhana Ltd. Through
Its Finance ManagerPetitioner

Vs.

The Regional Pf Commissioner & Recovery
Officer, ThaneRespondents

Mr. M. S. Topkar i/b Mr. Bhargavi Patil, for Petitioner.
Mr. Nitin K. Chaudhari, for Respondent.
Mrs. S. N. Deshmukh, AGP for Respondent-State.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 01st October 2025

PC.:-

1. The present Writ Petition takes exception to order dated 12th June 2025 passed by Respondent No.1 under section 14B and 7Q of EPF Act,1952, and action taken pursuant thereto.

2. The Petitioner has already filed Appeal No.CGIT 2/EPFA/93/2025-26 before Central Government Industrial Tribunal-Cum-Labour Court No.2, Mumbai, under section 7-I of Employees' Provident Fund and Miscellaneous Provisions Act, 1952.

3. It is informed that presently tribunal is non-functional for want of Presiding Officer in charge. In this backdrop, Respondent authorities have taken action under Section 8F and the Regional Provident Fund Commissioner-I attached all bank accounts of Petitioner vide order dated 22nd September 2025.

4. Mr. Topkar, learned advocate appearing for Petitioner therefore urges to grant stay to operation and implementation of impugned order dated 12th June 2025 and 22nd September 2025.

5. The learned advocate appearing for Respondent vehemently opposed to pass interim relief on the ground that huge amount is due and recoverable from Petitioner in pursuance to impugned order. However, he submits that if Petitioner shows bona fides by depositing at least 50% amount due under impugned order, this Court may consider granting interim stay subject to final outcome of Appeal pending before Tribunal.

6. In response to aforesaid contentions, Petitioner society through its Manager Mr. Vijaykumar Siddhappa Kole, (Accounts) filed an undertaking that Petitioner would deposit an amount of

Rs.75 lakhs within a period of six weeks from today without prejudice to the rights and contentions of Petitioner in pending Appeal before CGIT. The undertaking is taken on record and marked as Exhibit-X for identification.

7. In light of aforesaid undertaking, Respondent shall lift attachment over bank accounts to enable Petitioner to deposit amount of Rs.75 lakhs within agreed period.

8. The Petitioner shall be entitled to operate bank accounts primarily for purpose of making deposit of amount as per undertaking. Thereafter, Petitioner shall be at liberty to operate account for other transactions.

9. Once Petitioner deposits the amount as per undertaking, the order dated 12th June 2025 passed by Respondent under Section 14B & 7Q of EPF Act, 1952, shall be kept in abeyance till disposal of Appeal No.CGIT2/EPFA/93/2025-26 pending before the Tribunal at Mumbai.

10. In view of aforesaid arrangement, Writ Petition stands **disposed of.**

11. All contentions are kept open to be raised before Tribunal.

12. The Respondent shall issue necessary communication to the bank permitting the Petitioner to operate his bank account.

13. However, in case Petitioner fails to deposit amount as agreed, interim protection granted shall stand automatically vacated. The aforesaid arrangement shall be subject to final outcome of Appeal.

(S. G. CHAPALGAONKAR, J.)