

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

**CIRCUIT BENCH AT KOLHAPUR**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.13112 OF 2025**

Managing Director

Kumbhi Kasari Sahakari Sakhar

Karkhana Limited

.....Petitioner

Vs.

The Regional Provident Fund

Commissioner -I, Regional Office, Kolhapur

.....Respondent

Mr. Sushil K. Patil, with Mr. M. S. Topkar, for Petitioner.

Mr. Nitin K. Choudhari, for Respondent (through vc)

**CORAM : S. G. CHAPALGAONKAR, J.**

**DATED : 24<sup>th</sup> DECEMBER, 2025**

**P.C.:-**

1. The present Writ Petition takes exception to order dated 25<sup>th</sup> September 2025 and 10<sup>th</sup> December 2025 passed by Respondent under section 14B and 8F of EPF Act, 1952, and action taken pursuant thereto.

2. The Petitioner has already filed Appeal No.CGIT-2/EPFA Misc. Application No.14/2025 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 10<sup>th</sup> December 2025.

4. Mr. Sushil Patil, learned advocate appearing for Petitioner therefore urges to grant stay to operation and implementation of impugned order dated 10<sup>th</sup> December 2025 and 25<sup>th</sup> 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 (Accounts) makes statement before this Court

that Petitioner would deposit an 50% amount within a period of six weeks from today without prejudice to the rights and contentions of Petitioner in pending Appeal before CGIT.

7. In light of aforesaid undertaking, Respondent shall lift attachment over bank accounts to enable Petitioner to deposit 50% amount 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 10<sup>th</sup> December 2025 passed by Respondent under Section 14B of EPF Act, 1952, shall be kept in abeyance till disposal of Appeal No.CGIT-2/EPFA Misc Application No.14/2025 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.)**