

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.19388 OF 2024

Holcim Services (South Asia) LimitedPetitioner
V/S
Regional Provident Fund Commissioner-II & Anr....Respondents

Ms. Samiksha Kanani *for the Petitioner.*
Ms. Shehnaz V. Bharucha *for Respondent No.2-EPFO.*

CORAM: SANDEEP V. MARNE, J.
DATE : 3 APRIL 2025.

P.C.:

1. Heard Ms. Kanani, the learned counsel appearing for the Petitioner and Ms. Bharucha, the learned counsel appearing for the Respondent No.2-EPFO. Ms. Bharucha would oppose the Petition.

2. It appears that against order dated 8 April 2024 passed under provisions of Section 7A of the Employees' Provident Fund Miscellaneous Provisions Act, 1952 (**the Act**), the Petitioner filed Review Application under Section 7B of the Act on 15 May 2024. However the Review Application is erroneously filed in the office of the Regional Provident Fund Commissioner, Bandra, when the order under Section 7A of the Act was passed by Regional Provident Fund Commissioner, Thane.

3. Ms. Kanani would therefore submit that the Petitioner be permitted to withdraw the Review Application filed before the Bandra office with liberty to file the same with Thane office. Accordingly Petitioner is permitted to file a fresh Review Application of order dated 8 April 2024 before the Regional Provident Fund Commissioner, Thane. Time spent from 15 May 2024 till today shall be excluded while computing the period of limitation in filing Review Application against the order dated 8 April 2024. The Review Application shall be decided by the Regional Provident Fund Commissioner, Thane, after grant of an opportunity of hearing to the Petitioner, in an expeditious manner on its own merits without being influenced by any of the observations made by this Court.

4. With the above directions, the Petition is **disposed of**.

(SANDEEP V. MARNE, J.)

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