

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

WRIT PETITION NO. 2860 OF 2025

Kothari Wheels (Presently known as
Kothari Auto Wheels Pvt. Ltd.) ... Petitioner

Versus

The Regional Provident Fund Commissioner II ... Respondents.

Ms. Samiksha Kanani, for the Petitioner.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 3rd MARCH, 2025

P.C. :

1. An Order under Section 7A of the EPF and MP Act, 1952 has been passed. A statutory appeal is provided under Section 7-I. Despite a statutory remedy being available, a Writ Petition is filed before this Court.

2. In view of the above, the **Writ Petition is dismissed**. As an appeal remedy is provided, the Petitioner would be at liberty to avail of the said remedy. In the event of delay, the time spent by the Petitioner in this Court, from the date of the lodging of this Petition on 15.1.2025,

shall be excused, keeping in view the law laid down by the Hon'ble Supreme Court in the case of *Assistant Commissioner (CT) LTU, Kakinada & Ors. v.s, Glaxo Smith Kline Consumer Health Care Limited*¹.

3. We make it clear that we have not expressed any view on the merits of the Petitioner's claim.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)

1 AIR 2020 SC 2819