



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 6318 OF 2025

Visvesvaraya National Institute of Technology, Nagpur South, Ambazari
Vs.

Assistant Provident Fund Commissioner cum Recovery Officer, Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Shantanu Ghate, Advocate for petitioner.

**CORAM : ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.**

DATE : 15.10.2025

Heard the learned counsel for petitioner.

2. He has invited our attention to order dated 23.09.2025 passed under Section 8F of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

3. According to him, the said order is illegal. He also points out that he has challenged the order directing him to deposit the amount in an appeal and said appeal is pending before the CGIT, Nagpur, bearing No.63/2024. The said appeal is fixed on 01.12.2025, wherein the respondents have not filed any reply.

4. Considering the fact that appeal is pending, we are not inclined to interfere in the petition.

5. We further clarify that CGIT should decide the appeal within two months from December, 2025 till date there shall be stay to the recovery proceedings.

6. According to the learned counsel for petitioner, the amount is already recovered. Needless to mention that if appeal is decided in favour of the petitioner, he would be entitled for refund of amount.

7. The petition is disposed of.

(Rajnish R. Vyas, J.)

(Anil S. Kilar, J.)