



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

Writ Petition No.7975/2025

Municipal Council Pusad V Assistant Provident Fund Commissioner, Akola and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M.I. Dhattrak, Advocate for petitioner.
Mr. Amit Prasad, Advocate for respondents.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 12-12-2025.

Considering the urgency pointed out in the petition, the Counsel for the petitioner was directed to serve a copy of petition upon the Counsel appearing for the respondents and in response to the same Mr. Amit Prasad, Advocate has appeared. He submits that he has received the copy of the petition some time ago and wants time to take instructions.

2. Heard learned Counsel for the petitioner.

3. Petitioner Municipal Council, Pusad has challenged order dated 08-12-2025 passed by respondent no.2 purportedly under Section 8-F of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (for short, the said Act').

4. Learned Counsel for the petitioner submits that the impugned order is passed without serving any notice upon the petitioner and it is in violation of Section 8-F, (3)(i) of the Act. He also submits that the impugned order is not at all issued pursuant to any recovery certificate against the Municipal Council and in the process of recovery of amount against the petitioner, 24 bank accounts of the petitioner Municipal

Council are sealed and even an amount of more than rupees three crores is already recovered. He submits that the petitioner apprehends that the balance amounts lying in the petitioner's bank accounts would also be diverted for recovery of the provident fund dues. He therefore prays for an interim relief to restrain the respondents from taking any coercive action pursuant to the impugned order.

5. Having regard to the controversy involved, issue notice to the respondents, returnable on 16-12-2025.

6. In the meantime, the respondents are restrained from taking any coercive action against the petitioner, based on the impugned order.

7. Learned Counsel for the respondents is directed to intimate the order to the officials of the respondents.

8. Steno copy of this order be provided to the parties to act upon.

(Prafulla S. Khubalkar, J.)