

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6988 OF 2024

Koti Vidya Charitable Trusts Alamuri Ratnamala ...Petitioner
Institute Of Engineering And Technology

Versus

Regional Provident Fund Commissioner-II ...Respondent

WITH

INTERIM APPLICATION (ST) NO. 23131 OF 2024

IN

WRIT PETITION NO. 6988 OF 2024

Ms. Samiksha Kanani, a/w Gayatri Naik, for the Petitioner.

Ms. Trupti Chavan, for Intervenor.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 20, 2026

ORDER :

1. Learned Advocate for the Petitioner fairly states that the orders impugned in this Petition, namely, an order passed under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 ("***the Act***") and an order passed in execution proceedings under the Act, namely, Exhibit 'B' and 'C' have also been impugned in an Appeal No.13 of 2024 filed before the statutory tribunal.

2. The occasion to approach this Court invoking the writ jurisdiction arose owing to such tribunal not having been available. Now that the tribunal is manned and is conducting proceedings, the alternate efficacious remedy, which already stands invoked, must be allowed to run its course without interference from the writ court. It is evident that, by an order dated May 10, 2024, protection had been granted to the Petitioner subject to deposit of 50% of the amount contemplated under Section 7A of the Act. The protection accruing to the Petitioner in these proceedings until today shall continue until June 30, 2026, within which period it is hoped that the Learned Tribunal will deal with the matter and decide it one way or the other.

3. That apart, the Petitioner will have liberty to seek extension of the protection before the tribunal, should it appear that the aforesaid timeline would not be met in the proceedings before the Tribunal.

4. It is stated that the next date of hearing in the Appeal is scheduled for January 29, 2026 but the tribunal is unlikely to preside on that day owing to a leave note circulated in advance. The Tribunal is therefore requested to list the matter on February 2, 2026 and issue appropriate directions to the parties on how to proceed further. It is made clear that the interlocutory arrangements obtaining as of today

would be subject to such variation as the tribunal may deem fit, once seized of the appeal proceedings.

5. The Petition is *disposed of* with the aforesaid directions and arrangements. The Intervention Application would not survive, since the Petition itself is being disposed of. Needless to say, the Intervener would be at liberty to attempt to intervene in the appellate proceedings before the tribunal, subject to a decision by the tribunal on merits in accordance with law.

6. Respondent No.1 in this Petition is also required to attend to the appellate proceedings with due dispatch, to ensure that the issues could be resolved one way or the other, particularly bearing in mind that the interests of multiple workers are involved.

7. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[**SOMASEKHAR SUNDARESAN, J.**]