

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-2,
MUMBAI**Date: 20.10.2022

M/S Andhra Association, Pune.

.... Appellant

Versus

Regional Provident Fund Commissioner, Pune

.... Respondent

Present: Ms. Rama Somani Advocate, proxy counsel for Shri Chetan Alai, Advocate for the appellant.

Ms Sonali Humane, Advocate for the respondent.

ORDER

An application for taking up the matter on today's board has been filed by the appellant. The learned counsel for the respondent has also appeared on prior notice having been served upon her by the appellant and she has no objection to the taking up of the matter today.

In view of the above, the matter is taken on today's board.

The present appeal is under Section 7-I of the EPF & MP Act, 1952.

The prayer of the appellant is for stay of recovery of the amount of Rs.24,42,314/- which is under challenge in this appeal.

The order dated 15.09.2022 passed by the Hon'ble Bombay High Court in Writ Petition No.9054 of 2022 has been placed on the file and the same has been perused.

In compliance of the said order of the Hon'ble High Court, the appellant has already deposited Rs.4.5 lakhs vide Demand Draft dated 11.10.2022 before this Tribunal.

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The total amount of Provident Fund, as per the impugned order, is Rs.24,42,314/-.

The learned counsel for the appellant states at the bar that the appellant shall deposit an amount of Rs.7,71,157/- before this Tribunal within four weeks from today so as to make up the total 50% of the amount of Rs.24,42,314/-.

Heard.

Let the needful be done by the appellant in the aforesaid terms within four weeks from today. Meanwhile, the recovery of the remaining amount of 50% shall remain stayed.

In case the amount is not deposited within four weeks from today, then, this stay order shall stand vacated automatically.

The account of the appellant is directed to be de-frozen.

This order of stay is provisional subject to the decision of the interim relief application on merits.

The respondent shall be at liberty to make application to freeze the account of the appellant, in case, it fails to deposit the amount of Rs.7,71,157/- within four weeks from today.

To come up on 23.12.2022, the date already fixed, for filing say by the respondent as well as for arguments on the interim relief application and the application for waiver under Section 7-O of the Act.

October 20, 2022

(LAXMI NARAIN JINDAL)
Presiding Officer
CGIT -2, Mumbai