

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2003 of 2024**

=====

KANTILAL MANEKLAL PATEL**Versus****THOL DOODH UTPADAK SAHKARI MANDLI LTD. & ANR.**

=====

Appearance:**MR UT MISHRA(3605) for the Petitioner(s) No. 1**
for the Respondent(s) No. 1,2

=====

CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 05/03/2024****ORAL ORDER**

Heard learned advocate Mr. U. T. Mishra for the petitioner. He submitted that since the amount of provident fund was not released in favour of the petitioner, he made representation to respondent No. 1. In the representation, the petitioner has submitted that upon his resignation w.e.f. 12.05.2016, he would be entitled for payment of provident fund since no response was received on the representation, the petitioner preferred recovery application before the Labour Court and the same came to be rejected. The said order of rejection of Recovery Application was challenged before this Court and this Court in Special Civil Application No. 12849 of 2023 by order dated 18.10.2023 directed to file representation to Provident Fund Commissioner (respondent No. 2). The petitioner filed representation to respondent No. 2 dated 28.10.2023 and the same came to be rejected by order dated

18.12.2023 on the ground that respondent No. 1 – establishment is not covered under the provisions of Employees Provident Funds and Miscellaneous Provisions Act, 1952.

Considering the submissions, issue **Notice** returnable on **16.04.2024**.

SHRIJIT PILLAI

(MAUNA M. BHATT,J)