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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION STAMP NO.30817 OF 2023**

M/s. Impact Systems Pvt. Ltd.

..Petitioner

Versus

Assistant Provident Fund Commissioner,  
EPFO, Regional Office, Pune

..Respondent

Ms. Samiksha Kanani, for the Petitioner.

Ms. Ranjana Todankar, for the Respondent.

**CORAM : MILIND N. JADHAV, J.**

**DATE : 11<sup>th</sup> DECEMBER, 2023**

**PC.**

1. Heard Ms. Kanani, learned advocate for the Petitioner and Ms. Todankar, learned advocate for the Respondent.

2. Ms. Kanani, learned advocate has drawn my attention to the order dated 6<sup>th</sup> November, 2023 and would submit that the directions contained in paragraph No.5 of the said order stand complied with. She would submit that amount of Rs.10,00,000/- has been deposited as directed by this Court and compliance affidavit dated 11<sup>th</sup> December, 2023 has been filed to that effect, which is taken on record.

3. She would however next submit that at the time when the Petition was prosecuted on the last date by the Petitioner before



(31)-WPST-30817-23.doc.

this Court an order of attachment dated 25.10.2023 was already passed by the Respondent under Section 8F of the Employees Provident Fund and Misc. Provisions Act, 1952 (For short “the said Act”), *inter-alia*, attaching two bank accounts of the Petitioner both maintained in IDBI Bank, FC Road Branch, Pune. She has placed on record the communication i.e. order of attachment dated 25.10.2023 and would submit that on 6<sup>th</sup> November, 2023 when the Petition was mentioned for seeking urgent relief, the said order was not to the knowledge of the Petitioner and was brought to the knowledge of the Petitioner subsequent to the passing of the order dated 6<sup>th</sup> November, 2023.

4. Considering that the Petitioner has shown its bonafides and deposited the amount of Rs.10,00,000/- as directed by this Court against its alleged liability, the Petitioner is granted leave to challenge the order of attachment dated 25.10.2023 in the present Petition.

5. Amendment is permitted to be carried out within a period of two weeks from today. Re-verification stands dispensed with.

6. Respondent shall be at liberty to take out fresh Application, considering no reply has been filed by the Respondent in the present Petition. In view of the above, order of attachment dated 25.10.2023 issued by the Respondent/Regional Provident



(31)-WPST-30817-23.doc.

Fund Commissioner-II and Recovery Officer under Section 8F of the said Act directing the Branch Manager, IDBI Bank, FC Road, Pune to pay outstanding dues from the two bank accounts to the Respondent is immediately stayed by this Court. Any direction by the said order of attachment to put a hold/freeze/lien/attachment of any amount/ balance amount in the two bank accounts, namely account No.007102000026239 and account No.0007651000003612 is immediately removed. So also, it is directed that any fixed deposit belonging to the Petitioner company shall not be recovered in the interregnum until the present Petition is heard and decided by this Court in view of the ad-interim order dated 6<sup>th</sup> November, 2023 having been passed and duly complied with by the petitioner.

7. Ms. Todankar, learned advocate for Respondent seeks extension of time to file affidavit-in-reply.

8. Let the affidavit-in-reply be filed within period of four weeks from today.

9. Re-joinder, if any, to be filed within one week thereafter.

10. Stand over to **22<sup>nd</sup> January, 2024.**

**[MILIND N. JADHAV, J.]**