

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12386 OF 2019

Shri Dutt India Private Limited and Anr. ...Petitioners
Versus
The Government of India through Ministry of
Labour and Employment and Ors. ...Respondents

WITH
WRIT PETITION NO. 141 OF 2024

Rajendra Kashinath Bhosale and Ors ...Petitioners
Versus
Union of India through The Ministry of Labour
and Employment and Ors. ...Respondents

Mr. Shekhar Jagtap a/w Ms. Sairuchita R. Chowdhary for the
Petitioners in WP/12386/2019 and for Respondent No.6 in WP/
141/2024.

Mr. S.A. Rajeshirke for the Petitioner in WP/141/2024.

Mr. Mohamedali M. Chunawala for Respondent No.1. I.e, Union of
India.

Mr. Tanish Bhandari i/b. Ragini Singh and Associates for Respon-
dent Nos. 2 and 3.

Ms. Nisha Mehra, AGP for Respondent-State in WP/12386/2019.

Ms. R.A. Salunkhe, AGP for Respondent-State in WP/141/2024.

**CORAM: NITIN JAMDAR &
M.M. SATHAYE, JJ.**

DATE : 4 SEPTEMBER 2024

P.C.:

1. We had passed a detailed order on 28 August 2024. As far as
dues payable to the workers are concerned, they themselves have

filed Writ Petition No. 141 of 2024. According to the workmen the amount of Rs.7,40,00,000/- is with the Provident Fund Authorities. The learned counsel for the Provident Authorities states that according to their calculation, the amount is of Rs.4,95,38,531/-. This fact is disputed by the learned counsel for the Petitioners in both petitions. Keeping this aspect aside to be considered on the next date of hearing, we find absolutely no reason why the Provident Authorities requires orders of this Court for disbursal of the amount they are holding for the workers.

2. Various orders are passed in Writ Petition No. 12386 of 2019 from time to time. We have placed our disapproval on record in the earlier order about the manner in which the Provident Fund Authorities have conducted themselves. We also noted their conduct of not challenging certain orders and not acting in the interest of the workmen.

3. It is out of indulgence, we grant one week time to Provident Fund Authorities to disburse the amount, which according to them is Rs.4,95,38,531/-. If the amount is not paid within one week then the Provident Fund Authorities shall pay the said amount with interest @8% from the date the amount was received by the Provident Fund Authorities till its payment.

4. We make it clear that concerned Commissioner of the Provident Fund Authorities is bound by this direction of payment within one week.

5. Stand over to **12 September 2024** under the caption “For Directions” for reporting compliance”. Thereafter, the next date would be given for the purpose of the debate on quantum of amount. Both the parties shall file their affidavits as to the correct quantum, which according them is to be paid to the workers.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)