

ORDER SHEET  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT,  
JABALPUR(MP)

CASE NO. CGIT/LC/EPFA/03/2022

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
19-1-2022	<p>Taken up through video conferencing.</p> <p><b>Shri Pranay Choubey</b>, learned counsel for the appellant. Shri J.K.Pillai, learned counsel for the respondent .</p> <p>Learned counsel for the appellant pressed his prayer for interim relief regarding stay of recovery of amount under appeal.</p> <p>Respondent has preferred written objection sent through email ,copy on record.</p> <p>The main argument is that out of the total damages of Rs.233528/- imposed vide the impugned order, the major portion is relating to the deposit of employees provident fund dues of September-2017 deposited on 14-9-2019 whereas the dues in fact were deposited on 14-10-2017. He has referred to Annexure -4 TRR details and Annexure -5 of Axis Bank Statement in this respect. Learned Counsel further submits that in fact the EPF dues of September 2017 were again deposited on 14-10-2019 due to mistake and this fact was highlighted by the appellant establishment before the Respondent Authority in objection/reply dated 20-10-2021 submitted in respect to notice filed with the office of Respondent Authority on 1-11-2021, copy filed with the memorandum of appeal at page no.22 and 23. Learned counsel further submits that the respondent has not considered this objection which clearly mentions these facts and has imposed fine of Rs.2,31,739/- with respect to this transaction. The impugned order nowhere mentions the fact of filing written objection by the appellant. It also does not mention anywhere that this objection was considered as submitted by learned counsel for the appellant.</p> <p>On the other hand, learned counsel for Respondent has</p>	



submitted that he be given time to verify these facts from the office of respondent. He also submits that a date for hearing on interim relief be fixed and till then respondent will not take steps for recovery of the amount under appeal.

IN these circumstance, the Respondent Authority is directed to file his affidavit after verifying from office records as to whether objection/reply of appellant establishment dated 20-10-2021 was filed in the office on 1-11-2021 and also whether it was produced by office before him for his consideration or not?. The respondent shall also ensure that before filing its affidavit, its copy be served on the appellant learned counsel who may file its reply on affidavit within 7 days from the date of receipt.

List the case on 23-2-2022 for hearing on interim relief, till then the Respondent Authority shall not initiate any steps for recovery of amount under appeal.



**PRESIDING OFFICER**