

ORDER SHEET
CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT,
JABALPUR(MP)
CASE NO. CGIT/LC/EPFA/04/2024
M/s Pradhan Mantri Awas Yojna Vs RPFC Raipur

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
13.02.2024	<p>Matter taken up.</p> <p>Shri Rohit Raghuwanshi, Learned counsel for the Appellant. Shri JK Pillai, Learned counsel for the Respondent.</p> <p>Perused the report of the Registry.</p> <p>The order under appeal has been passed under Section 14-B of the Employees Provident Fund And Misc. Provisions Act.1952, herein after referred to the word "Act", passed on 30.06.2023. The appeal has been filed on 04.01.2024 , hence barred by limitation.</p> <p>Ground taken for condonation of delay is the consequential order was passed on 20.09.2023 has also been challenged and during hearing of other cases filed by appellant before Honb'le High Court, they came to know that new Presiding Office has joined. Hence, there is delay in filing of appeal. Affidavit filed in support. Written objection by respondent. File have been taken on record.</p> <p>Ld Counsel submits that since the appellant came to know that new PO has joined at last stage and the appeal is within 120 days from date of consequential order hence delay may be condoned.</p> <p>Application has been opposed by the respondent. Rule 7(2) of EPFA tribunal procedure rule 1997 is as follows.</p> <p>“Any person aggrieved by a notification issued by the Central Government or an order passed by the Central Government or any other authority under the Act, may within 60 days from the date of issue of the notification/order prefer an appeal to the Tribunal:</p> <p>Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the prescribed period, extend the said period by a further period of 60 days:</p> <p>.....</p> <p>It is established that the act has specific provision regarding limitation. Hence, provisions of limitation Act 1963 shall not apply. Hence, the ground taken by appellant side for condonation of delay application will not apply in case in hand also that the ground taken for condonation are grossly insufficient because consequential order has not been challenged as it is clear from Memo of appeal that office was working even when PO was not there.</p> <p>Accordingly, The application for condonation of delay deserve to be rejected and is rejected.</p> <p>Holding the appeal barred by limitation it is disposed as such.</p>	