ORDER SHEET

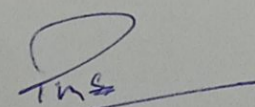## CENTRAL GOVT.INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR(MP)

CASE NO. CGIT/LC/EPFA/05/2024

M/s Chauhan Education Society Vs RPFC Bhopal

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
12.01.2024	Matter taken up. Shri Pranay Chaubey, Learned counsel for the Appellant. Shri J.K.Pillai, Learned counsel for the Respondent. Perused the report of the Registry. The order under appeal has been passed under Section 14-B and 7Q of the Employees Provident Fund And Misc. Provisions Act.1952, herein after referred to the word "Act', passed on 14.02.2023. The appeal has been filed on 10.01.2024, hence barred by limitation. I have heard, counsel for both the sides on application for condonation of delay. The delay is to be condoned in light of order Honb'le High Court dated 30.11.2023 in WP number 12093 of 2023. Appeal is registered. Respondents to counter within four weeks from today with documents after serving a copy thereof to learned counsel for the appellant. Rejoinder if any, within two weeks, thereafter. Learned counsel for the appellant further pressed his IA for stay filed with affidavit. The respondent has vehemently opposed this application orally. After hearing both the sides on the application for recovery of stay and objection against it and on perusal of the record. I am of the view that the appellant has successfully made out a prima facie case in his favor and it will be in the interest of justice to stay the recovery but on certain conditions. Accordingly the recovery of the amount under appeal passed under Section 14-B of the Act is stayed, subject to the condition of deposit of 40% of the amount with the Respondent within 30 days from the date of order and file a compliance report. I.A. is disposed of accordingly. Any amount deposited earlier shall be adjusted. Point of maintainability of appeal against order under section 7Q shall be decided at appropriated stage. List the case on 3/4/24 for Arguments. **PRESIDING OFFICER**	