

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-2, MUMBAI**

**APPEAL NO. CGIT- 2 / EPFA /112 /2024**

M/s. Zensar Technologies Ltd. - Appellant

V/s.

The Regional Provident Fund Commissioner-I,

EPFO, Pune & Anr. - Respondent

**ORDER**

**(Delivered on 30-09-2024)**

Read application filed by the appellant. No say filed on behalf of the opponent. Heard Mrs. Doshi Advocate for the appellant. The officer is present on behalf of the opponent.

I have gone through the case papers more particularly the order of the High Court. At the time of filing appeal, which was filed on 02.09.2024, the order of High Court was not brought to the notice of the Tribunal and in routine course the notice was issued to the opponent returnable on 30.09.2024 and the officer of the RPF, who was present before the court was directed not to take any coercive action against the appellant till next date.

True it is that, alongwith appeal the appellant filed an application for condonation of delay, application for waiver and also for stay however the appellant deposited the amount of Rs. 8,40,98,000/- on 23.09.2024, when this Tribunal was at Goa on camp. It means the appeal has been filed within one

week as per the order of High Court however the amount as per 7-O was not deposited alongwith appeal within one week as per the order of the High Court.

It seems that, the intimation about the filing of appeal was given to the opponent and the oral undertaking was given on behalf of the officer of the opponent before the Tribunal about not to take any coercive action against the appellant till 30.09.2024. In such circumstances proceed with the recovery is certainly against the oral undertaking given on behalf of the opponent.

Today the Counsel for the opponent is not present, the officer of the opponent is present but the reply has not been filed on behalf of the opponent, as such considering the facts and circumstances of the case, more particularly the deposit of amount by the appellant as per Sec. 7-O of the EPF Act even though late and not alongwith appeal, still in the light of direction of High Court also, I am directing the opponent not to proceed with the recovery till filing of reply by the opponent.

Sd/-

Date: 30-09-2024

(Shrikant K. Deshpande)  
Presiding Officer  
CGIT -2, Mumbai

