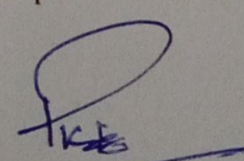


Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
09.02.2024	<p>Matter taken up.</p> <p>Shri Akash Chaudhary, Learned counsel for the Appellant. Shri JK Pillai, Learned counsel for the Respondent.</p> <p>Perused the report 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 18.07.2023. The appeal has been filed on 31.01.2024 , hence barred by limitation.</p> <p>Ground taken for condonation of delay is that appellant came to know about the order when recovery proceedings started because their consultants, who were dealing with the matter, didn't attend the proceedings before the respondents and didn't inform about the impugned order. 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 about the order under appeal limitation. Hence, limitation be counted from the date of the order. He has referred to an order of coordinate bench of the tribunal CGIT, Delhi in Misc /201/2022 passed on 15.02.2023 M/s Delhi High Court Bas Association Vs RPFC Delhi.</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.</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> <div style="text-align: center;">  PRESIDING OFFICER </div>	C