

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

APPEAL NO. CGIT- 2 / EPFA /133/2024

M/s. St. Stanislaus' Institution.

- Appellant

V/s.

The Regional Provident Fund Commissioner-II,

EPFO, Bandra, Mumbai.

- Respondent

ORDER

(Delivered on 15-04-2025)

M/s. St. Stanislaus' Institution/ appellant-applicant has challenged the legality of composite order dated 28.06.2024, passed u/s. 14-B & 7-Q of the EPF & MP Act 1952, by RPFC Bandra, Mumbai in the present appeal which has been filed on 26.09.2024, thus prays for condonation of delay in filing an appeal.

According to the applicant, after receipt of order, the appeal ought to have been filed on 27.08.2024, however due to financial issues, misguidance and for want of proper knowledge, the appeal could not be filed within prescribed period of limitation and after searching proper advocate the present appeal has been filed belatedly on 26.09.2024, thus prays for condonation of delay in filing an appeal.

The opponent by say submitted that, the present appeal is filed beyond the prescribed period of limitation i.e., 60 days and requested to pass necessary order in the interest of Justice.

Undisputedly, the order dated 28.06.2024 passed by the opponent has been challenged in the present appeal, which has been filed on 26.09.2024. True it is that, the appeal ought to have filed on 27.08.2024 i.e., within prescribed period of limitation of 60 days, however the applicant fairly stated in the application that, due to financial issues, misguidance and for want of proper knowledge, he could not file the appeal within the prescribed period of limitation. This fact has not been denied by the opponent in their say, thus even if the present appeal has not been filed within the prescribed period of limitation, still it is certainly within the extended period of limitation i.e., 120 days and considering the reason given in the application, the applicant is certainly entitled for condonation of delay in filing an appeal.

In the result, the application is allowed. The delay in filing the appeal is condoned.

Date: 15-04-2025

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