

**BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No. 208
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

APPEAL NO. D-1/06/2017

M/s Profacilities Services Pvt. Ltd.

....Appellant

Vs.

APFC, Delhi-(East)

....Respondent.

Presence:- Shri Ravi Ranjan, Ld. Counsel for the Appellant.

Shri Rajesh Kumar, Ld. Counsel for the Respondent.

ORDER DATED 16th March, 2022

The matter stands posted today for consideration on the misc application filed by the appellant. LCR has been received. Matter was heard being argued by the Ld. Counsel for both parties. On behalf of the appellant as well as by the respondent two separate affidavits have been filed containing the details of the recovery made by the EPFO from the appellant establishment... The Ld. Counsel for the appellant pointed out different pages of the LCR marked as file A and file B to submit that the said recovery tallies with the amount shown by the appellant in his petition filed today. But the Ld. Counsel for the respondent counter argued that the recovery as has been shown in the affidavit filed by him are with different enquires and the orders passed there under which have not been challenged yet by the appellant establishment. Hence, the order pointed out by the appellant and the related recovery has nothing to do with the impugned order. He thereby argued that the admission of the appeal and the application filed u/s 7 O heard and disposed off today.

Perusal of the LCR shows that after the impugned 7 A enquiry the EPFO has recovered Rs. 47, 22, 428 on different spells describing the same as the calculation made in interlocutory orders. It is not understood how and why the respondent authority passed interlocutory order u/s 7 A of the Act, and proceeded to recover some amount from the appellant. The Ld. Counsel for the respondent wanted sometime to go through LCR and reply the query of the tribunal. Hence, the matter is treated as heard in part on admission of appeal. Call this matter on 30.03.2022 for further arguments on the admission and reply by the Ld. Counsel for respondent. AS an interim measure the resp. authority is directed not to take any coercive measure or any recover action against the appellant establishment M/s Profacilities Services Pvt. Ltd., till the next date of hearing . This order is not specific with regard to the impugned order but in respect of any recovery action to be taken against the appellant establishment.

Presiding Officer
March 16, 2022