BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-2, MUMBAI

M/S. Ichalkaranji Municipal Council,

Ichalkaranji,

Kolhapur - 416115.   -   APPELLANT

                                       V/s.

Assistant Provident Fund Commissioner

Regional Office, EPFO Kolhapur,

238/6, E Ward Tarabai Park,

Kolhapur - 416003.   - RESPONDENT

ORDER

Dated:20.01.2023

Present: **Shri H.L. Chheda, A.R. for the appellant.**

Mrs. Kashmira P. Vashi Sawant, Advocate for the

respondent.

Fresh authority letter on behalf of the appellant filed by Shri H.L. Chheda.

Replies to the main appeal as well as to the application for stay and waiver filed by the respondent.

Copies given.

There is also an application for condonation of delay filed by the appellant.

The present appeal under Section 7-I of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, [herein after referred to as 'the Act'] is directed against the order dated 28.07.2021 passed by the respondent under Sections 7A of the Act.

Along with the appeal filed on 04.01.2022, the appellant has also filed an application for condonation of delay.

Heard on the said application.

In view of the order dated 10.01.2022 passed by the Hon'ble Supreme Court in Misc. Application No.21 of 2022 in Misc. Application. No.665 of 2021 in Suo Moto Writ Petition (C) No.3 of 2020, the period from 15.03.2020 till 28.02.2022 shall stand excluded for the purpose of limitation as may be prescribed under the general or special law in respect of all judicial or quasi-judicial proceedings. Over & above this, a limitation period of 90 days from 01.03.2022 has also been granted in cases where the limitation would have expired during the period between 15.03.2020 till 28.02.2022.

In the present case, the present appeal having been filed during the aforesaid period of limitation exemption, is within limitation and the application for condonation of delay is accordingly allowed.

To come up on 20.02.2023 for filing rejoinder.

Sd/-

January 20, 2023

(LAXMI NARAIN JINDAL)
Presiding Officer
CGIT -2, Mumbai