

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-2, MUMBAI

M/S. Sukhmantra Resort and Spa,
Goa.

- APPELLANT

V/s.

Assistant Provident Fund Commissioner
Goa.

- RESPONDENT

ORDER**Dated:20.03.2023**

Present: Shri Prithish Chatterjee, Advocate, for the appellant.

Smt. Prerana Janvekar, Advocate, for the respondent.

The present appeal is against the order dated 2.11.2022 passed by the respondent under Section 14B Employees' Provident Funds & Miscellaneous Provisions Act, 1952, [herein after referred to as 'the Act'], whereby, damages of Rs.4,78,908/- have been assessed.

After the filing of this appeal, bank account of the appellant was frozen and the entire amount of Rs.4,78,908/- has since been recovered by the respondent.

Today, an application has been filed by the appellant for de-freezing of the account and for refund of the amount already recovered which is under challenge in this appeal.

The contention of the learned counsel for the appellant is that despite recovery of the entire amount subject matter of the present appeal, the bank account of the appellant is still lying frozen. His prayer is that the said bank account may be de-frozen.

On the other hand, learned counsel for the respondent does not dispute the above facts.

In view of the above, since the entire amount has already been recovered, there is no justification in the continuance of the freezing of the account of the appellant.

Thus, the application filed by the appellant today is disposed of by directing the respondent to de-freeze the bank account of the appellant forthwith.

To come up on 01.06.2023 for reply and for arguments in the main appeal.

March 20, 2023

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