

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

APPEAL NO. CGIT- 2 / EPFA 21 /2024

M/s. Solapur Municipal Corporation. - Appellant

V/s.

The Regional Provident Fund Commissioner-II,
EPFO, Solapur. - Respondent

ORDER

(Delivered on 28-10-2024)

Read application for condonation of delay in filing an appeal. Perused the say given on behalf of the opponent.

The appellant-applicant has challenged the legality of order dated 09.11.2023, in an appeal which has been filed on 09.02.2024. The applicant submitted that, the order dated 09.11.2023 was served to them through E-mail on 09.01.2024 and thereafter the copy was collected on 07.02.2024, therefore the delay has been caused in filing an appeal and requested for its condonation.

True, it is that, if we consider the date of order dated 09.11.2024 and the date of filing an appeal i.e., 09.02.2024, then the appeal is certainly filed after 60 days i.e., prescribed period of limitation, however within 120 days but if we consider the date of receipt of order i.e., 09.01.2024, then there is no delay in filing an appeal. In such circumstances, even if the appeal is filed beyond the date of 60 days, still considering the reasons and the fact that

it is within the 120 days from the date of order and delay is of about 30 days therefore the applicant is entitled for condonation of delay in filing an appeal.

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

Sd/-

Date: 28-10-2024

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