

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

APPEAL NO. CGIT- 2 / EPFA 33 /2021

M/s. Alpha Data Processing Pvt. Ltd., - Appellant

V/s.

The Regional Provident Fund Commissioner,
EPFO, Thane. - Respondent

ORDER

(Delivered on 31-12-2024)

M/s. Alpha Data Processing Pvt. Ltd., has challenged the legality of order dated 10.02.2021 & 11.02.2021 passed by RPFC Thane/respondent u/s. 14-B & 7-Q of the EPF & MP Act 1971 (for-short, "the EPF Act") in present appeal which has been filed on 16.07.2021 and considering the delay in filing appeal, filed this application for condonation of delay in filing appeal.

According to the appellant/applicant, the delay has been occurred due to the situation of Covid-19 Pandemic. He put his reliance on the decision of the Apex Court of the land in **Misc. Application No. 21 of 2022, in Misc. Application No. 665 of 2021 in suo moto WRIT PETITION (C) No. 03 of 2020** therefore requested to condone the delay.

The counsel for the respondent/opponent objected the application by reply.

Admittedly, the order dated 10.02.2021 & 11.02.2021 has been challenged in appeal which was filed

on 16.07.2021. In view of the order dated 10.01.2022 passed by the Apex Court, the period from 15.03.2020 to 28.02.2022 has been excluded for the purpose of limitation as may be prescribed under the general or special Law in respect of all Judicial or quasi Judicial proceeding over and above this limitation period of 90 days from 01.03.2022 has been granted in cases, where the limitation would have expired during 15.03.2020 to 28.02.2022. The orders under challenge have been passed on 10.02.2021 and 11.02.2021 i.e. during the period in which exemption has been granted regarding limitation by the Apex Court and present appeal has been filed during exemption period therefore the applicant is certainly entitled for condonation of delay in filing appeal.

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

Sd/-

Date: 31-12-2024

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