

ORDER SHEET
CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT,
JABALPUR(MP)
CASE NO. CGIT/LC/EPFA/40/2024
M/s BE Subhash Higher Secondary School Vs RPFC Khandwa

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
06.05.2024	<p>Matter taken up.</p> <p>Shri Aditya Singh, Learned counsel for the Appellant. Shri Abhishek Arjaria Learned counsel for the Respondent.</p> <p>Perused the report of the Registry.</p> <p>The order under appeal has been passed under Section 14-B of the Employees Provident Fund And Misc. Provisions Act.1952, herein after referred to the word "Act", passed on 11.01.2024. The appeal has been filed on 24.04.2024, hence barred by limitation.</p> <p>I have heard, counsel for both the sides on application for condonation of delay. The delay is to be condoned inspite of being vehemently opposed by the learned counsel for the respondent. Accordingly condoning the delay the appeal is registered.</p> <p>Respondents to counter within four weeks from today with documents after serving a copy thereof to learned counsel for the appellant. Rejoinder if any, within two weeks, thereafter.</p> <p>Since, the appeal is against order under Section 14B, There is no occasion for filing application under Section 7O as no pre deposit is required.</p> <p>Learned counsel for the appellant further pressed his IA for stay filed with affidavit.</p> <p>The respondent has vehemently opposed this application orally.</p> <p>After hearing both the sides on the application for recovery of stay and objection against it and on perusal of the record. I am of the view that the appellant has successfully made out a prima facie case in his favor and it will be in the interest of justice to stay the recovery but on certain conditions.</p> <p>Accordingly the recovery of the amount under appeal passed under Section 14-B of the Act is stayed, subject to the condition of deposit of 40% of the amount with the Respondent within 30 days from the date of order and file a compliance report. I.A. is disposed of accordingly. Any amount deposited earlier shall be adjusted. Point of maintainability of appeal against under section 7Q. Appellant is at liberty to seek remedy against order under Section 7Q before proper forum.</p> <p>List the case on for Arguments.</p> <p style="text-align: center;">PRESIDING OFFICER</p>	