

**ORDERSHEET**

**CENTRAL GOVT.INDUSTRIAL TRIBUNAL CUM LABOUR COURT,  
JABALPUR (MP)**

**CASE NO.CGIT/LC/EPFA/49/2024**

**M/s Neelam Security Service Vs RPFC Raipur**

Date of Order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
29.07.2024	<p>Matter taken up.</p> <p>Shri Subodh Agrawal, Learned counsel for the Appellant. Shri Abhishek Arjaria, Learned counsel for the Respondent.</p> <p>Perused the report of the Registry.</p> <p>The impugned order is of 30.08.2023. The appeal has been filed on 21.05.2024. Appeal is barred by limitation. Application of Appellant for condonation of delay. Rule 7(2) of Employee Provident Fund Appellant Tribunal procedure rule 1997 is being reproduced as follows.</p> <p><b>'Any person aggrieved by a notification issued by the Central Government or an order passed by the Central Government or any other authority under the Act, may within 60 days from the date of issue of the notification/order prefer an the Tribunal:</b></p> <p><b>Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the prescribed period, extend the said period by a further period of 60 days:</b></p> <p><b>Provided further that no appeal by the employer shall be entertained by a Tribunal unless he has [deposited with the Tribunal a Demand Draft payable in the Fund and bearing] 75 per cent of the amount due from him as determined under section 7A:</b></p> <p><b>Provided also that the Tribunal may for reasons to be recorded in writing, waive or reduce the amount to be deposited under section 7-0'</b></p> <p>Since the Act and rules provide a period of limitation, general law regarding limitation doesn't apply.</p> <p>As submitted by the Appellant, the Hon'ble High Court of Chhattisgarh directed, vide order dated 01.03.2024, in WP number 187/2023, to file an appeal within 45 days from the receipt of this order. The period of limitation will not be considered by the Tribunal. The appeal was filed on 21.05.2024, beyond the time limit. Learned Counsel submits that the appellant first filed a composite appeal against the order under sections 7A and 14B, later withdrew his appeal against and under section 7A, and filed the present appeal. However, this ground is not tenable for condoning the delay because the Act and rules do not provide for such a provision. Hence, in light of the above discussion, holding the appeal barred by limitation, it is disposed of at the admission stage itself.</p> <p>The appeal is disposed of accordingly.</p> <p style="text-align: center;"><b>Presiding Officer</b></p>	