

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

**APPEAL NO. CGIT- 2 / EPFA /52/2025**

M/s. Concentrix Daksh Services India Pvt. Ltd. - Appellant

V/s.

The Regional Provident Fund Commissioner-I,

EPFO, Pune. - Respondent

**ORDER**  
**(Delivered on 06-05-2025)**

Read application for De-Freeze the Bank Account by setting aside the order u/s. 8-F of the EPF Act dated 26.04.2025. Perused the written submissions filed on behalf of the opponent.

It is contended on behalf of the applicant that, the order dated 24.02.2025 passed u/s. 7-I & 7-Q has been challenged in the present appeal and this Tribunal vide order dated 21.04.2025 directed the opponent not to take coercive actions against the applicant only on depositing 25% amount assessed u/s. 7-A of the EPF Act, accordingly the said amount was deposited immediately on 23.04.2025, still the opponent issued order dated 26.04.2025 u/s. 8-F of the EPF Act to the Banker i.e., CITI Bank and HSBC Bank for recovery of remaining amount. Thereafter on 30.04.2025, the applicant requested to withdraw the order passed u/s. 8-F of the EPF Act. In fact passing such order amounts to encroaching the jurisdiction of the court, thus the applicant prays for direction to the opponent to De-Freeze the Bank Account by setting aside the order u/s. 8-F of the EPF Act.

The counsel for the opponent submitted in their written submissions that, action taken by the opponent are not sudden actions. Such actions arise out of constant non-compliance and breach of relevant laws. The applicant has been found to be in breach of the relevant provisions since 04/2017 to 11/2022, as such the action are in compliance thus prays for direction to the applicant to comply order issued by the respondent.

It will not be out of place to mention here that, when the appeal is presented before the court and the counsel for the applicant apprehended about coercive action and requested for protection therefore this Tribunal vide ad-interim exparte order after considering composite order directed the opponent not to initiate any coercive action against the applicant till filing of reply only on depositing 25% of amount assessed in the order u/s. 7-A of the EPF Act towards waiver application with the opponent.

During argument the counsel for the opponent disputed about the service of notice to the opponent. The representative of the applicant submitted that, the order was communicated to the opponent, whereas it reveals from the xerox copy of notice which was taken hamdast for service, there is a stamp of 30.04.2025. It creates controversy in respect of service of summons.

Not only this but, admittedly before passing order u/s. 8-F of the EPF Act, a copy of the notice shall be forwarded to the employer as per Sec.8-F (III) of the EPF has not been issued, as such the order in respect of recovery prima-facie seems to be improper.

In such circumstances, considering the issue and controversy involved in the matter as the amount has not be recovered yet by the opponent, I am directing the opponent to De-Freeze the bank

account of the applicant and remove lien on the other bank accounts only on additionally depositing the same amount, which was deposited as per order dated 21.04.2025

In the result, the application is allowed. The opponent is hereby directed to De-Freeze the bank account of the applicant and remove the lien on the other bank accounts only after additionally depositing the same amount which was deposited earlier as per order dated 21.04.2025.

Date: 06-05-2025

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