

ORDERSHEET

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

CASE NO. CGIT/LC/EPFA/58/2024
M/s Sumer Mehroli V/S APFC, Khandwa

Date of Order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
08.01.2025	<p>Matter taken up.</p> <p>Shri Arya Bhatt, Learned counsel for the Appellant. Shri Abhishek Arjaria, Learned counsel for the Respondent.</p> <p>Respondent has already filed reply with affidavit against application under section 7 (O), delay condonation and IA.</p> <p>Perused the report of the Registry.</p> <p>Heard both the side on these applications</p> <p>Perused record.</p> <p>As regards delay, the impugned order is of 28.03.2024. The appeal has been filed on 28.06.2024. The appeal is within extended period of limitation. Ground sufficient. Hence, delay is condoned. Appeal is registered.</p> <p>The learned counsel for appellant presses his I.A and application under section 7(o).</p> <p>Learned counsel for the respondent authority has opposed the application of waiver and prayed regarding recovery for stay.</p> <p>After perusal of record in the light of rival arguments, the Appellant appears to have successfully established some arguable points in the appeal, hence he has successfully established his prima facie case at this stage, keeping in view the fact and circumstances of the case in hand, the balance of convenience is in favor of granting partial waiver under Section 7(O). Accordingly the amount under Section 7(O) is partially waived and the appellant is directed to deposit only 40% of the amount under appeal in favor of Registrar CGIT (Payable at Jabalpur) within 30 days from today. Any amount paid against amount under appeal shall be adjusted.</p> <p>Recovery of amount under appeal shall remain stayed subject to fulfillment of the condition.</p> <p>Respondent to file Counter within 04 weeks from today, after serving a copy to the learned counsel of the Appellant. Rejoinder if any, within 02 weeks thereafter</p>	