

ORDERSHEET

CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT,

JABALPUR (MP)

CASE NO. CGIT/LC/EPFA/62/2024

M/s Hotel Surya V/S RPFC, Jabalpur

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 Uttam Maheshwari, Learned counsel for the Appellant. Shri Abhishek Arjaria, Learned counsel for the Respondent.</p> <p>Respondent file 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 23.04.2024. The appeal has been filed on 15.07.2024. 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 orally.</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(0). 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> <p>List the case for arguments on</p> <p style="text-align: right;">Presiding Officer</p>	