

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

APPEAL NO. CGIT- 2 / EPFA /64 /2023

M/s. Squareone Technologies Pvt. Ltd.

(Now M/s. Squareone Insights Pvt. Ltd.) - Appellant

V/s.

The Regional Provident Fund Commissioner-II,

EPFO, Vashi. - Respondent

ORDER

(Delivered on 01-10-2024)

Read application for condonation of delay in filing an appeal filed by the appellant-applicant. Perused the say given on behalf of the respondent-opponent. Heard Mr. Gurav advocate for the applicant & Mr. Rattesar advocate for the opponent.

According to the applicant, the order dated 22.12.2022 has been challenged in the present revision. Initially the order dated 22.12.2022 was challenged in review before the Authority of the opponent however the same was rejected by order dated 28.02.2023. After receipt of order dated 28.02.2023, the present appeal has been filed on 24.04.2023. In fact from the date of review order dated 28.02.2023, the appeal has been filed within 60 days therefore there is no delay in filing an appeal, still by way of

the abandoned precaution the application has been filed thus requested for condonation of delay if any.

The opponent objected the delay application and requested not to condone the delay in filing the appeal.

I may mention here that, the appeal has been filed on 24.04.2023 against the order dated 22.12.2022. The opponent nowhere disputed about the filing of review application by the applicant and rejection of the review vide order dated 28.02.2023. It means the order dated 22.12.2023 was subjudiced in the review proceeding and the review was finally decided by order dated 24.04.2023 therefore considering the date of filing appeal from the date of review the appeal is within limitation. Even otherwise also from the date of order dated 22.12.2022 the present appeal is filed on 120 days i.e., not out of extended period of limitation therefore the applicant is certainly entitled for condonation of delay in filing an appeal.

In the result, the application is allowed. The delay in filing the appeal is condoned.

Sd/-

Date: 01-10-2024

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

