

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

CASE NO. CGIT/LC/EPFA/89/2017

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
11-11-2022	<p>Matter taken up.</p> <p>Shri Adhitya Ahiwasi, learned counsel for the appellant.</p> <p>Shri J.K.Pillai, learned counsel for the respondent.</p> <p>Learned Counsel for the appellant pressed his I.A. filed with affidavit.</p> <p>Hearing learned counsel for Respondent has vehemently opposed this application.</p> <p>Perused the record.</p> <p>It comes out from the perusal of record in the light of arguments that the present appeal is filed by the appellant establishment against order of assessment under Section 14-B/7Q for the period from 8/84 to 12/2002.</p> <p>The grievance of Appellant Establishment is that they have been issued a fresh notice of assessment with proposed assessment of damages under Section 14B of the Act from the period April-1994 to 5-2-2021. According to the learned counsel for the appellant, since the assessment for the period from 1984 to 2002 has already been done which is a subject matter of present appeal it cannot be re-opened again.</p> <p>Learned counsel for the Respondent has opposed this</p>	

Pillai

application with an argument that the Appellant Establishment may raise this point before Respondent Authority who will take care of it while passing the final order.

Since the assessment for the period from 8/84 to 12/2002 is under attack in the present appeal, the Respondent Authority will be justified to re-open this assessment, hence thought the Respondent Authority will be at liberty to proceed with the assessment for the period not subject matter of the present appeal, it will not be lawful on their part to re-open assessment for the period which is subject matter of the present appeal. Naturally this will not apply to any skipped amount which comes under Section 7C of the Act.

The I.A. stands dismissed. ^{posed accordingly}

The matter be listed on 26-12-22 for hearing on impleadment application, final arguments.


PRESIDING OFFICER