



सत्यमेव जयते

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM**

Present: Shri.V.Vijaya Kumar, B.Sc., LL.M., Presiding Officer.

(Friday the 5<sup>th</sup> day of February, 2021)

**Appeal No.181/2019  
(Old no.852(7)2015)**

Appellant : M/s.Jupiter Couriers  
Jupiter Tower  
Palarivattom  
Kochi - 682025

By Adv.C.B.Mukundan

Respondent : The Assistant PF Commissioner  
EPFO, Regional Office, Kaloor  
Kochi – 682017

By Adv.Sajeev Kumar K. Gopal

This case coming up for final hearing on 05.02.2021 and the same day this Tribunal-cum-Labour Court passed the following:

**ORDER**

Present appeal is filed from order no.KR/KC/24852/ENF-III(4)/2015 dt.04.02.2015 assessing dues U/s 7A of the EPF & MP Act, 1952 for the period from 03/2011 to 05/2013. The total dues assessed is Rs.9,66,964/-.

The appeal was admitted vide order dt.20.01.2020 on the condition that the appellant shall remit 40% of the assessed dues against 75% stipulated U/s 7(O) of the Act, on the basis of the financial difficulty pleaded by the learned Counsel for

the appellant. the appellant was directed to deposit the above amount with the respondent within four weeks and produce proof of remittance before the next date of posting. There was no confirmation regarding the pre-deposit. However the learned Counsel for the appellant filed an application for extension of time for deposit on 28.10.2020. the same was allowed and the time for deposit was extended till 31.12.2020. the learned Counsel for the respondent also filed counter.

When the matter was finally called today, the learned Counsel for the appellant submitted that he has no instruction from the appellant regarding Sec 7(O) deposit. The Counsel for the respondent submitted that no pre-deposit is made by the appellant.

Pre-deposit of 75% of the assessed dues is mandatory for admitting an appeal. Considering the pleadings of financial difficulty by the Counsel for the appellant, the pre-deposit was reduced to 40%. The appellant failed to comply with even that direction. It is not a fit case where the appeal can be admitted.

Hence the appeal is dismissed for non compliance with the direction to deposit 40% of the assessed dues with the respondent U/s 7(O) of the Act.

Sd/-  
(V. VIJAYA KUMAR)  
Presiding Officer