



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

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

(Friday the 26<sup>th</sup> day of February, 2021)

**Appeal No.04/2021**

Appellant : M/s.Archdiocese of Verapoly  
Latin Arch Bishop's House  
Marine Drive, P.B.No.2581  
Kochi – 682031

By Adv.Jimmy George

Respondent : The Assistant PF Commissioner  
EPFO, Regional Office, Kaloore  
Kochi - 682017

This case coming up for admission on 26.02.2021 and the same day this Tribunal-cum-Labour Court passed the following:

**ORDER**

The appeal is filed against an order issued U/s 7A of EPF & MP Act. According to the learned Counsel for the appellant, the documents produced along with the appeal will clearly indicate that the relationship of the appellant with the defaulting establishment is that of lesser and lessee. The properties along with the machineries are leased to the establishment and on closure of the establishment the lease agreement is cancelled.

Hence the finding of the respondent that the assets and liabilities are taken over by the appellant is not correct.

The appellant succeeded in establishing a prima facie case. In view of the above the appeal is admitted waiving pre-deposit U/s 7(O) of the Act and the impugned order is stayed until further order.

Adjourned and posted to 11.05.2021 for counter.

Sd/-  
(V. VIJAYA KUMAR)  
Presiding Officer