



सत्यमेव जयते

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

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

(Wednesday the 24th day of March, 2021)

Appeal No.401/2019

(Old no.1075(7)2015)

Appellant : M/s.Co-operative National College
Perumba
Payyannur P.O.
Kannur - 670307

Respondent : The Assistant PF Commissioner
EPFO, Regional Office
Kannur - 670001

By Adv.K.C.Santhosh Kumar

This case coming up for hearing on 24.03.2021 and the same day this Tribunal-cum-Labour Court passed the following:

ORDER

The impugned order is issued U/s 7A of the EPF & MP Act. While admitting the appeal vide order dt.25.02.2020, the appellant was directed to deposit 50% of the assessed amount with the respondent U/s 7(O) of the Act within one month and file the proof of remittance on or before 24.04.2020. The hearing was adjourned to various dates and finally to 24.03.2021. On 24.03.2021 there was no representation for the appellant. Respondent was represented. When

the matter is taken up, the learned Counsel for the respondent submitted that the pre-deposit U/s 7(O) as ordered by this Tribunal is not complied with. In **M/s.Muthoot Pappachan Consultancy Management Services Vs Employees Provident Fund Organisation**, 2009 (1) KHC 362, the Division Bench of the Hon'ble High Court of Kerala held that the deposit of 75% U/s 7(O) of the Act is a precondition for maintaining the appeal. Since the appellant failed to deposit the amount U/s 7(O) of the Act even after one year the appeal is not maintainable.

Hence the appeal is dismissed as not maintainable as the appellant failed to deposit the 7(O) amount.

Sd/-

(V. VIJAYA KUMAR)
Presiding Officer