



सत्यमेव जयते

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

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

(Tuesday the 23rd day of March, 2021)

Appeal No.494/2019

(Old no.515(7)2016)

Appellant : M/s.Pazhassiraja Public School
Balussery
Eramangalam
Kozhikode – 673612

Respondent : The Assistant PF Commissioner
EPFO, Regional Office
Kozhikode -673006

By Adv.(Dr.)Abraham P. Meachinkara

This case coming up for hearing on 23.03.2021 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 against non-enrolled employees. The appellant was directed to deposit the amount with the respondent within one month and file the proof of remittance on or before 23.04.2020. The hearing was adjourned to 23.03.2021. On 23.03.2021 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