



सत्यमेव जयते

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

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

(Thursday the 8th day of April, 2021)

APPEAL No.721/2019
(Old no.303(7)2012)

Appellant : M/s.Krishna Photo Magic
Sankarayyar Road Junction
M.G.Road
Thrissur - 680004

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 08.04.2021 and the same day this Tribunal-cum-Labour Court passed the following:

ORDER

Present appeal is filed from order no.KR/KC/27346/ENF-2(6)/2011/9906 dt.20.09.2011 assessing dues U/s 7A of the EPF & MP Act, 1952 for the period from 06/2007 to 05/2011. The total dues assessed is Rs.8,25,005/-.

2. The appeal is filed on the ground that the respondent failed to waive the employees' share of contribution for the pre-discovery period from 06/2007 to 11/2010. When the matter was taken up for hearing the learned Counsel for the respondent submitted that earlier appeal was disposed of by the EPF Appellate Tribunal, New Delhi vide order dt.21.03.2013. The EPF Appellate Tribunal set aside the impugned order and reminded the case to the respondent to examine waiver of employees' share of contribution for the period from 06/2007 to 11/2010. The respondent authority on remand of the case from EPF Appellate Tribunal, initiated an enquiry U/s 7A of the Act and waived the employees' share of contribution for the period from 06/2007 to 11/2010 vide order no.KR/KC/27346/ENF-2(6)/2012/192214A dt.27.03.2012 i.e., even before the order was passed by the Hon'ble EPF Appellate Tribunal. Accordingly the enquiry initiated by the respondent as per the direction of the Hon'ble EPF Appellate Tribunal was dropped. According to the learned Counsel for the respondent, nothing remains in this appeal as the prayer for waiver of employees' share of contribution for the period from 06/2007 to 11/2010 had already been met and communicated to the appellant on 27.03.2012 itself.

3. In view of the above, nothing remains in this appeal to be adjudicated and the same is dismissed as infructuous.

Sd/-

(V. Vijaya Kumar)
Presiding Officer