



सत्यमेव जयते

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

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

(Wednesday the 15th day of June, 2022)

Appeal No.75/2022

Appellant : M/s.Hotel Affas Tourist Home
Kalpetta Post
Vythiri Taluk
Wayanad – 673121

By Adv.P. P. Biju

Respondent : The Regional PF Commissioner
EPFO, Regional Office
Kozhikode – 673006

By Adv.(Dr.)Abraham P. Meachinkara

This case coming up for admission on 15.06.2022 and the same day
this Tribunal-cum-Labour Court passed the following:

ORDER

Both sides are represented.

The impugned order is issued U/s 7A of EPF & MP Act, 1952.
According to the Counsel for the appellant, he is not disputing the regular
dues. However he has serious dispute regarding the assessment of dues

with regard to the casual employee. According to him the temporary employees will not come within the definition of employee and Sec 2(f) of the Act. Further he also disputed the basis of the assessment to the casual employee. The learned Counsel for the respondent opposed the reduction of pre-deposit U/s 7(O) of the Act. The learned Counsel for the appellant submitted that regular dues had already been paid. The assessment regarding casual employees will have to be decided depending on the eligibility of the employees to be enrolled.

The appeal is admitted subject to remittance of 30% of the assessed dues in respect of casual employees with the respondent within one month from today. Proof of remittance shall be produced on or before the next date of posting. The impugned order is stayed and the respondent is restrained from taking any coercive action for recovery.

Adjourned to 05.09.2022 for written statement.

Sd/-
(V. VIJAYA KUMAR)
Presiding Officer