

**BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM NO 208, ROUSE  
AVENUE DISTRICT COURT COMPLEX, NEW DELHI-110002.**

**APPEAL NO. D-1/37/2020**

M/s. B2R Technologies Pvt. Ltd.

Appellant

Through:- Ms. Sanjana Bali, Ld. A/R for the Appellant.

Vs.

APFC, Delhi (South)

Respondent

Through:- Shri Puneet Garg, Ld. Counsel for the Respondent

**ORDER DATED 20.10.2020**

The Appeal is filed in the extended period of limitation as directed by Hon'ble Supreme Court in suo moto W.P(C )03/2020. Further, not any other defects being pointed out by the Registry, the appeal stands admitted.

During the course of arguments, the Ld. A/R for the Appellant submitted that an amount of Rs. 94,297/- towards the interest component has already been deposited and the same is being reflected in the impugned order passed under section 14 B. But a total sum of Rs. 2,66,731/- has been recovered from the account of the appellant without any notice to them which includes Rs. 1,72,434/- towards damages and Rs. 94,297/- towards interest. This assessment and recovery is in respect of an overlapping period in r/o which earlier proceeding was held and order passed therein is under challenge before this Tribunal in which unconditional stay on execution of said order has been granted. Thus, she has prayed for refund of the recovered amount.

On the contrary, the Ld. Counsel for Respondent, Shri Puneet Garg submitted that the Appellant had not submitted any document in the form of Bank statement/ letter supporting the claim that an amount of Rs. 2,66,731/- was recovered on 23.09.2020. He further submitted that he had already raised this matter before the Respondent department and currently he is not in a position to explain that whether the amount stands recovered and if yes, it is in lieu of this impugned order only or to some other period/ impugned order and he needs a time of ten days for submitting a clarification.

In all fairness, this Tribunal is of considered opinion that A/R for the Appellant file the documents at the earliest i.e. by tomorrow i.e. 21.10.2020 in support of the amount recovered from the Bank account of the Appellant over email after serving a copy to the Ld. Counsel for the Respondent. Further, the aforementioned prayer of the Ld. Counsel for the Respondent to grant 10 days time for submitting explanation/ clarification is allowed. List the matter again on 30-October-2020.

Sd/-

Presiding Officer