

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. D-1/13/2022

M/s. BSL Scaffolding Ltd. Appellant
Through Ms. Yashika Malhotra, Proxy Counsel for the Appellant

Vs.

APFC, Delhi (S) Respondent
Through Sh. Narender Kumar, Ld. Counsel for the Respondent

ORDER DATED :- 01/11/2022

The Proxy counsel appearing on behalf of the Appellant sought an adjournment on account of the Ld. Counsel for the Appellant being busy with the proceedings before the Hon'ble Delhi High Court. Perusal of the record shows that the matter was adjourned on previous dates also due to the unavailability of Ld. Counsel for the Appellant. Adjournment granted with an instruction to list the case on 07.11.2022 for admission hearing. It is made clear that no further arguments shall be allowed.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. D-1/40/2022

M/s. Superior Securitas
Through Sh. B.K Chhabra, Ld. Counsel for the Appellant

Appellant

Vs.

RPF, Delhi (E)
Through Sh. Gurumukh Singh, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 01/11/2022

Today the matter is listed for hearing on the application for condonation of delay in filing the appeal against the impugned orders respectively 4/& 14B dated 29.12.2021 and 7Q dated 29.12.2021. Apparently, the appeals are filed beyond the prescribed period of limitation under the EPF Act on 10.06.2022 .

Objection in writing on behalf of the respondent is filed, where the competence of tribunal of considering sufficient causes for not filing the appeal as provided and prescribed under the E.P.F. & M.P. Act, 1952 is raised.

Ld. Counsel for the Appellant wants to place before the Tribunal, case laws in this regard. He may do so before the next date fixed for argument over the issue of condonation of delay in filing the appeal.

List the matter on 07/11/2022.

Presiding Officer

**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-1/39/2022

M/s. Janheet Food Safety Foundation
Through Sh. Parth, Ld. Counsel for the Appellant.
Vs.

Appellant

RPFC/APFC Delhi (West)
Through Sh. Sandeep Vishnu, Ld. Counsel for the Respondent. Respondent

ORDER DATED :- 01/11/2022

The Ld. Counsel for the Appellant requested for an adjournment. Allowed as a last chance. List the matter on 15.11.2022 for admission hearing.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207 ROUSE
AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.
Appeal No. D-1/42/2022**

M/s. Eaton Power Quality Pvt. Ltd. Appellant
Through:- Ms. Mamta Tiwari, Ld. Counsel for the Appellant

Vs.

RPFC/APFC-Delhi(S) Respondent
Through Sh. Gurumukh Singh, Ld. Counsel for the Respondent

ORDER DATED :- 01.11.2022

The Ld. Counsel for the Respondent has placed on record the order dated 18.10.2022 passed by Hon'ble Delhi High Court in CM Appl. 45336/2022(stay [W.P.(C) 14741/2022].

The Hon'ble Delhi High Court vide the aforementioned order has directed:-

8. Learned counsel for the petitioner submits that the proceedings before the learned CGIT may be stayed and in particular, the operation of the order passed by the learned CGIT for refund of 75% of the amount be also stayed.

9. Issue notice. Ms. Amrita Mishra, Advocate accepts notice on behalf of the respondent.

10. Learned senior counsel for the respondent has submitted that at least, if not 75% of the amount, some amount may be directed to be released to the respondent Company. Learned senior counsel submits that they shall be moving an appropriate application in this regard.

11. List on 10th January, 2023. 12. In the meantime, the proceedings before the learned CGIT shall continue, however, there shall be stay on the part of the order directing refund of 75% of the amount till the next date of hearing.

Further, the perusal of the record shows that the Ld. Counsel for the Respondent has filed the reply to the application filed by the Appellant under Section 7J of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and rule 21 of the Employees' Provident Fund Appellate Tribunal (Procedure) Rules, 1997 for taking appropriate action against the respondent for not complying with the order dated 16.08.2022 and thereby insulting and causing interruption.

Copy of the reply stands supplied to the Ld. Counsel for the Appellant. Accordingly, in view of the directions given by Hon'ble Delhi High Court, fix the matter on 05.12.2022 for filing written objection/ rejoinder to the reply filed on behalf of the Respondent.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. D-1/115/2019

M/s. Vishakha Facility Management Pvt.
Through Sh. Nikhil Patnaik, Ld. Counsel for the Appellant

Appellant

Vs.

APFC, Delhi (E)
Through Sh. Rajesh Kumar, Ld. Counsel for the Appellant

Respondent

ORDER DATED :- 01/11/2022

Reply to the appeal filed by the Ld. Counsel for the Respondent. Copy of the same stands supplied to the Ld. Counsel for the Appellant. Let the parties to the appeal may file their respective argument with supporting case-laws by way of written submissions exchanging copies thereof inter-se between them within a month, list thereafter on 14.03.2023 for oral submissions and final arguments.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. D-1/35/2022

M/s. Vishakha Facility Management Pvt. Ltd. Appellant
Through Sh. Nikhil Patnayak, Ld. Counsel for the Appellant

Vs.

RPFC, Delhi (E) Respondent
Through Sh. Rajesh Kumar, Ld. Counsel for the Respondent

ORDER DATED :- 01/11/2022

Reply of the Respondent against the grounds taken in the Appeal by the Appellant is taken on record. The objection raised comprehensively as to the maintainability of the appeal shall be heard and decided at the time of final arguments. As the pleadings in the appeal have been completed, list for final argument on 16/01/2023.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.
Appeal No. 738(4)2014**

M/s. Educomp Solution Ltd.
Through None for the Appellant

Appellant

Vs.

RPFC, Delhi(N)
Through Sh. Sanjay Aggarwal, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 01/11/2022

Today the case was listed for final arguments. However, none appeared on behalf of the Appellant despite several calls. Accordingly, the present appeal stands dismissed in default. Send the copy of the order to both the parties as per rules. Thereafter, consign the record in the record room.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. 623(4)2015

M/s Krishna Facility & Management Services
Through None for the Appellant

Appellant

Vs.

APFC, Delhi(N)
Through Sh. S.N Mahanta, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 01/11/2022

The Id. Counsel for the Respondent pressed the miscellaneous application filed on behalf of the Respondent for placing on record additional affidavit/reply. Perusal of the record shows that the said application is still to be served upon the Ld. Counsel for the Appellant. Accordingly, it is directed that the copy of this application be served upon the Ld. Counsel for the Appellant. Thereafter, list the matter on 14.03.2023 for consideration of the Miscellaneous application.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. 1071(4)2015

**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. 738(4)2014

M/s. Educomp Solution Ltd.
Through None

Appellant

Vs.

RPFC, Delhi(N)
Through Sh. Sanjay Aggarwal, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 01/11/2022

Today the case was listed for final arguments. However, none appeared on behalf of the Appellant despite several calls. Accordingly, the present appeal stands dismissed in default. Send the copy of the order to both the parties as per rules. Thereafter, consign the record in the record room.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. 233(4)2017

M/s. Sky Hank Educational
Through Sh. Maneesh Gumber, Ld. Counsel the Appellant

Appellant

Vs.

APFC, Delhi(N)
Through Sh. Atul Kumar , Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 01/11/2022

Let the parties to the appeal may file their respective argument with supporting case-laws by way of written submissions exchanging copies thereof inter-se between them within a month, list thereafter on 13.03.2023 for oral submissions and final arguments.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. 259(4)2017

M/s. Ramesh Chand. Appellant
Through Sh. S.P Arora & Sh. Rajiv Arora, Ld. Counsel for the Appellant
Vs.

APFC, Delhi(N) Respondent
Through Sh. Satpal Singh, Ld. Counsel for the Respondent

ORDER DATED :- 01/11/2022

Let the parties to the appeal may file their respective argument with supporting case-laws by way of written submissions exchanging copies thereof inter-se between them within a month, list thereafter on 14.03.2023 for oral submissions and final arguments.

Presiding Officer

**BEFORE HON'BLE MR. JUSTICE (RETD.) VIKAS KUNVAR SRIVASTAV,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM No.207
ROUSE AVENUE, DISTRICT COURT COMPLEX, NEW DELHI-110002.**

Appeal No. 298(4)2017

M/s. Ralhan Construction Pvt. Ltd. Appellant
Through Sh. S.K Gupta, Ld. Counsel for the Appellant

Vs.

APFC, Delhi(S) Respondent
Through None for the Respondent

ORDER DATED :- 01/11/2022

As none is present on behalf of the Respondent. List the matter on 14.03.2023 for final arguments.

Presiding Officer