

**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-1/45/2022

M/s. EXL Services.com (India) Pvt. Ltd. Appellant
Through Sh. Ajit Warriar, Angad Kochhar & Akbar Hussain, Ld. Counsels for the
Appellant

Vs.

APFC, Delhi (c) Respondent
Through Sh. B.B Pradhan, Ld. Counsel for the Respondent

ORDER DATED :- 26/09/2022

The present appeal is preferred u/s 7 I of the EPF & MP Act, 1952 against determination of amount due u/s 7 A of the Act.

**MISC.APPLICATION UNDER RULE 7 (2) OF THE
EMPLOYEES' PROVIDENT FUND APPELLATE TRIBUNAL
(PROCEDURE) RULES, 1997 SEEKING CONDONATION OF DELAY
IN FILING THE ACCOMPANYING APPEAL;-**

Application for condonation of delay in filing the appeal within the prescribed time under rule 7 (2) and its proviso is filed. Copy of the same is provided to the Ld. Counsel for the Respondent PF authorities and objection to the said application in writing be filed within 3 days. List the matter on 28.09.2022 for consideration of the said 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. D-1/42/2022

M/s. Eaton Power Quality Pvt. Ltd.
Through Sh. Ravi Mishra, Ld. Counsel for the Appellant

Appellant

Vs.

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

Respondent

ORDER DATED :- 26/09/2022

**MISC. APPLICATION UNDER SECTION 7-L(2) & RULE 21 OF
THE EPF & MP ACT, 1952 READ WITH SECTION 151 OF C.P.C ON
BEHALF OF THE RESPONDENT FOR SEEKING REVIEW THE ORDER
DATED 16.08.2022 PASSED BY THIS TRIBUNAL-**

Today the Ld. Counsel for the Respondent pressed newly filed application u/s 7L (2) of EPF and MP Act read with rule 21 of the Tribunal (Procedure) rules, 1997 and 151 of C.P.C. Copy of the application stands already supplied to the Ld. Counsel for the Appellant who has filed written objection to the same. Taken on record. Going through the contents of the application wherein the Respondent has prayed for :-

- a) Review/modify the order dated 16.08.2022 passed by this Hon'ble Tribunal thereby directing the respondent to keep recovered amount with the Registrar of Hon'ble CGIT by way of FDR or depositing 75% assessed amount before Tribunal in compliance of the provisions of Section 7-O of the Act by way of FDR in the name of the Registrar of the Tribunal.

And bare perusal of the record shows that the Ld. Counsel for the Respondent has already filed an application dated 06.09.2022 under the same provisions wherein it was prayed that :-

- (a) The Tribunal may, in appropriate cases, initiate contempt proceedings under section 19 of the Act against the officer responsible for the disobedience of the order of the Tribunal

and to punish him accordingly, if the disobedience has resulted in causing interruption or distribution in the proceeding of the Tribunal;

- (b) If the disobedience of the Tribunal's order does not technically amount to a contempt under section 19 of the Act, even then the Tribunal may, with the aid of its inherent powers under Rule 25 of the Procedure Rules, extend its contempt jurisdiction and accordingly proceed to punish the contemnor after following the due procedure, particularly the principles of natural justice;

The Application dated 06.09.2022 was disposed of as not being pressed by the Ld. Counsel for the Respondent seeking the liberty of this Tribunal to file the application afresh with intention to comply with order dated 16.08.2022.

The present application dated 22.09.2022 filed by the Ld. Counsel for the Respondent has not sought any separate prayer from the earlier application dated 06.09.2022. In fact, the present application is filed within the same provisions as in the case of miscellaneous application dated 06.09.2022. The Ld. Counsel for the Respondent during the course of arguments failed to satisfy this Tribunal that how prayer for review/modification is maintainable. Without going into further details this Tribunal is of the opinion that present application dated 22.09.2022 seeking review of the order dated 16.08.2022 be dismissed herewith. Ordered accordingly.

MISC.APPLICATION ON BEHALF OF 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:-

The Ld. Counsel for the Appellant pressed the present application filed on behalf of the Appellant. Copy of the same stands supplied to the Ld. Counsel for the Respondent. Accordingly, list the matter on 10.10.2022 for filing written objection by the Ld. Counsel for the Respondent on the said application and consideration of the same.

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. 525(4)2016

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

Appellant

Vs.

APFC, Delhi (W)
Through Sh. Sanjay Aggarwal, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 26/09/2022

The Ld. Counsel for the Respondent pressed an application for early hearing of the appeal. Heard. The application for early hearing is allowed. List the matter on 22.11.2022 for final arguments. Let the parties to the appeal may file their respective arguments with supporting case-laws by way of written submission exchanging copies thereof inter-se between them within a month. List thereafter on 22.11.2022 for oral submission 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-1/84/2019

M/s. Bharat Motor
Through Sh. Harishankar Singh Proxy for the Appellant

Appellant

Vs.

CBT through RPFC-II, Delhi (N)
Through None for the Respondent

Respondent

ORDER DATED :- 26/09/2022

The Proxy appearing on behalf of the Ld. Counsel for the Appellant prayed for some more time for filing the rejoinder. As none is present on behalf of the Respondent, list the matter on 30.11.2022 for filing rejoinder as last chance.

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-1/103/2019

M/s. Indian Olympic Association
Through:- Sh. Sanjay Kumar, Ld. Counsel for the Appellant

Appellant

Vs.

APFC-Delhi (South)
Through Sh. Rajesh Kumar, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 26.09.2022

No rejoinder filed. Accordingly, let the parties to the appeal may file their respective arguments with supporting case-laws by way of written submission exchanging copies thereof inter-se between them within a month. List thereafter on 30.01.2023 for oral submission 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-1/14/2020

M/s. Lighton India Contractors Pvt. Ltd.
Through Ms. Usha Nandini, Ld. Counsel for the Appellant

Appellant

Vs.

APFC, Delhi(C)
Through Sh. Manish dhir, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 26.09.2022

As the pleadings in this matter are complete. List the matter on 30.01.2023 for final arguments. Let the parties to the appeal may file their respective arguments with supporting case-laws by way of written submission exchanging copies thereof inter-se between them within a month. List thereafter on 30.01.2023 for oral submission 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-1/26/2021

M/s. Cyber Media (India) Ltd. Appellant
Through Sh. Haribansh Manav, Ld. Counsel for the Appellant

Vs.

APFC, Delhi (S) Respondent
Through Sh. B.B Pradhan, Ld. Counsel for the Respondent

ORDER DATED:- 26.09.2022

Rejoinder to the appeal stands filed today on behalf of the Appellant. Copy of the same supplied to the Ld. Counsel for the Respondent. Let the parties to the appeal may file their respective arguments with supporting case-laws by way of written submission exchanging copies thereof inter-se between them within a month. List thereafter on 30.01.2023 for oral submission 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. 949(4)2016

M/s. G & G Services Pvt. Ltd.
Through None for the Appellant

Appellant

Vs.

APFC, Delhi(E)
Through Sh. Prem Prakash Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 26.09.2022

None appeared on behalf of the ld. Counsel for the Appellant.
Accordingly, list the matter on 31.01.2023 for 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. 967(4)2016

M/s. Indra Sistemas India Pvt. Ltd.
Through Sh. S.K Gupta Ld. Counsel for the Appellant

Appellant

Vs.

APFC, Delhi(S)
Through Sh. Naresh Gupta, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 26/09/2022

The Ld. Counsel for the Appellant pressed his application for early hearing of the matter. Heard. The said application is allowed.

Further, there is one application on behalf of the Respondent seeking permission to place on record additional reply. Copy of the same is supplied today to the Ld. Counsel for the Appellant who wishes to file reply to the said application. Accordingly, list the matter on 06.12.2022 for filing reply to the said application as well as consideration of the same.

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. 1041(4)2016

M/s. Pawan Mehra
Through None for the Appellant

Appellant

Vs.

APFC-Delhi (S)
Through Sh. J.K Sinha, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 26.09.2022

None appeared on behalf of the Appellant perusal of the record shows that none is appearing on behalf of the appellant since last several dates. The Ld. Counsel for the Respondent pressed that the matter may be dismissed in default due to non appearance.

Case was called several times and none appeared on behalf of the appellant till the end of the day. Accordingly, the present matter is dismissed in default. Consign the record as per rule after sending a copy of the order to both the parties.

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. 309(4)2017

M/s M.R. Enterprises
Through None for the Appellant

Appellant

Vs.

APFC-Delhi (S)
Through None for the Respondent

Respondent

ORDER DATED :- 26.09.2022

As none of the counsels are present. List the matter on
31.01.2023 for final arguments.

Presiding Officer