

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR
COURT, No. 1 DELHI

D-1/27/2024

M/s Life Line Travels vs. APFC/RPFC Delhi West.

Present: Ms. Snigdha Dash, Ld. Counsel, for the Appellant.
Ms. Swati Surhatia, Ld. Counsel for the Respondent.

Order dated-28.04.2025

1. Appellant counsel has pressed his application filed u/s 7O of the EPF & MP Act, 1952. Office report submits that appellant be exempted from depositing any amount. Reason given by her is that the appellant is 62-year-old and his business stands closed and therefore, he is facing financial difficulty. Respondent counsel has opposed the prayer stating that Section 7 O of the Act is a mandatory provision and hence, the appellant is required to deposit 75% of the amount at the time of filing the appeal. The provision of section 7 O are reproduced hereunder for ready reference:-

7-O. Deposit of amount due, on filing appeal.—No appeal by the employer shall be entertained by a Tribunal unless he has deposited with it seventy-five per cent. of the amount due from him as determined by an officer referred to in section 7A:

Provided that the Tribunal may, for reasons to be recorded in writing, waive or reduce the amount to be deposited under this section.

2. I have heard the arguments at par. As per record, appellant has assailed the order passed by the respondent dated 01.02.2024 whereby RPFC has assessed the dues to the tune of Rs.65,30,467/-.
3. Main plea of the appellant counsel is that appellant is 62 year old and has been facing financial crunch as he has closed the business. However, these are not the ground for waiving the pre deposit for entertaining the appeal. Ld. counsel for the appellant has stated that before the RPFC, all the proceeding has been held during the Covid time but out of 58 hearing conducted in the present case by the respondent, only 10 or 12 fall in the period of Covid time.



4. Considering the above facts, no case is made out for complete waiver. Appellant is directed to deposit 40% of the assessed amount within six weeks from today by way of FDR favoring Registrar CGIT prepared initially for a period of one year having auto renewal mode thereafter. Till that period respondent is restrained from taking any coercive action. Copy of this order is sent to both the parties through email. Put up on 09.07.2025. Ld. counsel for the respondent is also directed to file the reply to this appeal on the next date of hearing.

Atul Kumar Garg
(Presiding Officer)



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