

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR
COURT, DELHI**

D-2/41/2024

M/s Baghpat Industries Ltd. vs. APFC/ RPFC, Meerut.

Present: Sh. Arvind Kumar, Ld. Counsel for the Appellant.
Sh. Kanhaiya Singhal, Id. Counsel for the Respondent.

ORAL

Order Dated-19.05.2025

1. Appellant has preferred the appeal assailing the impugned order dated 20.05.2022 where the Id. RPFC has assessed the dues to the tune of Rs.53,15,308/- as EPF dues u/s 7A **of the EPF & MP Act, 1952 (hereinafter referred as the Act)**. He has assailed the said order stating that the ex-parte order has been passed by the Id. RPFC order as no person on behalf of the appellant establishment was present during the course of enquiry. He submitted that matter be remanded back to the RPFC for fresh consideration and he be given opportunity to present his case. Ld. Counsel for the respondent has opposed the prayer however, he has admitted that ex-parte order has been passed.

2. I have heard the counsel and perused the impugned order in question. In the order dated 20.05.2022, enquiry was initiated for the period 03/2012 to 04/2017 and it was also reported in the order that during the visit of Sh. Vipin Batra, Area Enforcement Officer on 15.11.2021 and 17.12.2021, he found that the establishment was lying closed for a long time. Even one director was tried to be contacted but his phone was showing switched of. Therefore, on the basis of record available in the compliance file, he had assessed the dues.

3. Considering the above fact that appellant has not participated in the enquiry after which impugned order dated 20.05.2022 was passed on the basis of available record, the order dated 20.05.2022 is recalled and set aside. Appellant is directed to appear before the RPFC-Meerut on 23.06.2025 at 12:30P.M. Attachment order which has already been passed by the Id. RPFC in respect of property in question has been untouched and the same is kept in abeyance.

Sd/-
Atul Kumar Garg
(Presiding Officer)

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Office has placed this file stating that inadvertently order dated 19.05.2025 has not been sent to the parties.

Record perused. This tribunal while setting aside the impugned order dated 20.05.2025 passed by Id. RPFC Meerut, had directed the appellant to appear before the Ld. RPFC on 23.06.2025.

In the above said circumstances when the order has not been sent/communicated to the parties, the said order is modified. Appellant is now directed to appear before Ld. RPFC Meerut on 25.07.2025 at 12:00 P.M. A copy of this order is sent forthwith to the appellant as well as to the respondent.

Sd/-

Atul Kumar Garg
(Presiding Officer)