

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

**Appeal no. D-2/11/2025**

**M/s. Nutech Jetking Equipments India Pvt. Ltd.** ....Appellant

Through:- J.R. Sharma, Ld. Counsel for the appellant.

Vs.

**RPFC, Faridabad** .....Respondent

Through:- Sh. B.B. Pradhan, Ld. Counsel for the respondent.

**Oral**

**Order Dated:- 25.11.2025**

The Ld. Counsel was required to file a reply to the appellant's application seeking stay on the execution of the impugned orders. However, instead of filing a reply, he has filed written submissions.

Record perused. The appellant has assailed the impugned orders dated 24.05.2025 passed under section 14B and 7Q of the **Employees' Provident Funds & Misc. Provisions Act, 1952 (Hereinafter referred as 'the Act')**, whereby the respondent assessed the damages and interest for the period from 10/2017 to 05/2023, levying Rs. 17,49,236/- and Rs. 14,53,017/- respectively. Both orders have been passed compositely because a common notice had been issued, the date of order was the same, and the same enquiry was held. Therefore, these orders are not separate orders. The appellant further stated that it has a lot of ground to oppose the orders. The payments had been received to them belatedly from their clients. As such, the appellant prayed for stay of the operation of the impugned orders dated 24.05.2025 passed under section 14B and 7Q of the Act till disposal of this appeal.

On the other hand, the Ld. Counsel for the respondent has opposed the prayer, stating that the appeal under section 7Q of the Act is not

maintainable. He has relied upon the judgment of *Ascot Hotels & Resorts Pvt. Ltd. vs. APFC*, whereby the Hon'ble High Court of Delhi held that the Tribunal would be empowered to pass a conditional order of stay during the pendency of appeal where the demand raised under section 14-B and 7Q of the Act has been challenged. Mere pendency of appeal would not prohibit the EPF authority from effecting recovery unless Tribunal stays the recovery by interim order during the subsistence of appeal, subject to certain conditions.

I have heard the arguments advanced by both parties and perused the record of the case. It is an admitted fact that the default has been admitted by the appellant. Its only grievance is that it received belated payments from its clients on several occasions, and it intends to address arguments on this aspect at a later stage.

Since detailed arguments are yet to be addressed, execution of the impugned orders is stayed till the finalization of this appeal, subject to the condition that the appellant deposits the interest component, as assessed by the respondent, within six weeks from the date of this order.

The Ld. Counsel for the respondent submitted that he will file a reply to the main appeal within two weeks. He is directed to furnish an advance copy of the same to the Ld. Counsel for the appellant, who may file a rejoinder thereafter, if he wishes to.

Accordingly, the matter is listed on 12.01.2026 for final arguments.

Sd/-

Atul Kumar Garg  
(Presiding Officer)