

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

**Misc. application for restoration of dismissed appeal no. D-1/48/2022  
M/s Rishabh House Pvt. vs. APFC/RPFC, Delhi (East).**

Present: Sh. Pradeep Pandey, Ld. Counsel for the Appellant.  
Sh. Vaibhav Prasad, A/R for the Respondent.

**Order Dated-11.08.2025**

This is an application dated 28.07.2025 filed on behalf of the appellant/ applicant under order **IX Rule 9 read with section 151 CPC 1908** for recalling the order dated 16.05.2025 and to restore the appeal to its original number which was dismissed by the said order due to non-prosecution.

Pressing his application Id. counsel for the applicant stated that he could not appear on 16.05.2025 before this tribunal as on 21.04.2025, which was the previous date in this case, all the matter were adjourned en-block for 25.04.2025. However, the counsel for the appellant/applicant noted the date wrongly as 25.06.2025. It is also submitted by the Id. counsel that on 25.04.2025 the tribunal had directed to issue a notice to the appellant but he has not received any such notice. He further stated that on 25.04.2025 he had appeared in court no. 308, Rouse Avenue District Court Complex but could not appear in the present matter. Stating these circumstances, Id. counsel for the applicant prays that he is very keen to prosecute this case and his absence on the fixed date was neither intentional nor deliberate but due to bonafide reasons for which he is deeply regretful and thus, requests to restore his appeal.

Before proceeding further **Rule 15 of the Tribunal (procedure) Rules, 1997** is reproduced herein:-

***Rule 15- Action on appeal for appellant's default.  
(1) Where on the date fixed for hearing of the***

*appeal or on any other date to which such hearing may be adjourned, the appellant does not appear when the appeal is called for hearing, the Tribunal may, in its discretion, either dismiss the appeal for default or hear and decide it on merit.*

*(2) Where an appeal has been dismissed for default and the appellant files an appeal within thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non-appearance when the appeal was called for hearing, the Tribunal shall make an order setting aside the order dismissing the appeal and restore the same.*

*Provided, however, where the case was disposed of on merits the decision shall not be re-opened except by way of review.*

I have heard the arguments at bar and perused the record. Record reveals that the appellant had appeared before this tribunal on 25.03.2025, thereafter, the matter was adjourned en-block on 08.04.2025 and 21.04.2025. On 25.04.2025 when the matter was taken up by the undersigned none had appeared on behalf of the appellant and office was directed to issue notice to the appellant. No such notice has been found on record.

Considering all the circumstances, this tribunal is of the opinion that it is always the best recourse to decide the appeal on merits rather than to dismiss it on technical grounds of non-prosecution. Therefore, the appeal is restored to its original number and the stage as it was before its dismissal. Put up on 24.09.2025 for arguments on the misc. application filed under section **70 of the EPF and MP Act, 1952**. In the meanwhile, the recovery proceedings, if initiated by the respondent department are put on hold.

Atul Kumar Garg  
(Presiding Officer)

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

**M.A. No. 31/2023**

**M/s SMS Prayavaran Ltd. vs. APFC/RPFC, Delhi (North).**

Present: Sh. Shivam Sharma, proxy for Sh. Akshay Choudhary, Ld.  
Counsel for the Appellant.  
Sh. Sagar Kumar, Ld. Counsel for the Respondent.

**Order Dated-11.08.2025**

Record perused. This case earlier was reserved for order on the application for condonation of delay by the predecessor of this tribunal. After receiving the charge of this tribunal, this tribunal had ordered to release this file from the reserved list and the matter is listed today for arguments on the misc. application filed for condonation of delay. However, main counsel for the appellant is not present and the proxy has requested for an adjournment. In the interest of justice, adjournment is granted. Let it be fixed for arguments on 08.09.2025.

Atul Kumar Garg  
(Presiding Officer)

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

**M.A. No. 60/2023**

**M/s Charan Agency vs. APFC/RPFC, Delhi North.**

Present: Sh. Mayank Rana, proxy for Ms. Rakhi Dubey, Ld.  
Counsel for the Appellant.  
Sh. Ashutosh Pandey, proxy & Sh. Mahender Meena, A/R for  
the Respondent.

**Order Dated-11.08.2025**

Record perused. This case earlier was reserved for order on the application for condonation of delay by the predecessor of this tribunal. After receiving the charge of this tribunal, this tribunal had ordered to release this file from the reserved list and the matter is listed today for arguments on the misc. application filed for condonation of delay.

As the main counsels for both the parties are not present, put up the case on 13.08.2025.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/19/2024**

**M/s Rays Power Experts Pvt. Ltd. vs. APFC/RPFC, Delhi Central.**

Present: Sh. Prakash Kumar, Ld. Counsel for the Appellant.  
Sh. Rahul Kumar Verma, Ld. Counsel the Respondent.

**Order Dated-11.08.2025**

Today the case is listed for compliance of the order dated 01.08.2025 wherein the respondent was directed to refund the entire amount recovered from the appellant in his bank account within a week.

In pursuance to the above order of refund, Id. counsel for the respondent has filed one office note of the respondent authority dated 08.08.2025 wherein APFC cash is requested to refund the amount of Rs.20,05,840/- which was recovered from the appellant herein.

Put up on 21.08.2025 for submission of complete compliance of the order dated 01.08.2025 and thereafter arguments on the misc. application filed u/s 7O of the EPF & MP Act, 1952.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/55/2024**

**M/s Imperia Structures Limited vs. APFC/RPFC, Delhi East.**

Present: Sh. S.K. Gupta, Ld. Counsel & Sh. Pawan Jain, A/R for the Appellant.  
Sh. S.N. Mahanta, Ld. Counsel & Sh. Vaibhav Prasad, A/R for the  
Respondent.

**Order Dated-11.08.2025**

At the outset, respondent counsel has raised objection about the competence of the appellant of filing of the appeal. However, counsel of the appellant has placed on record the NCLAT order whereby the NCLT order appointing the R.P was quashed and set aside. Put up on 10.09.2025 for arguments on the misc. application filed u/s 7O of the EPF & MP Act, 1952. In the meanwhile, interim order to continue till next date of hearing.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/86/2024**

**M/s Central Warehousing Corporation vs. APFC/RPFC, Delhi Central & Hind  
Mazdoor Sabha.**

Present: Sh. B.S. Rana & Sh. Deepanshu Singhal, Ld. Counsels for the  
Appellant.  
Sh. Kanhaiya Singhal, Ld. Counsel for the Respondent.

**Order Dated-11.08.2025**

Ld. Counsel for the respondent has filed the reply to the misc. application.  
Put up the case on 11.09.2025 for arguments on the same. In the meanwhile,  
interim order to continue till next date of hearing.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/13/2025**

**M/s Takshila Public School Education Society vs. APFC/RPFC, Delhi East.**

Present: Sh. Prakash Kumar, Ld. Counsel for the Appellant.  
Sh. Tejasvi Goel, Ld. Counsel & Sh. Sunil Ranjan, A/R for the  
Respondent.

**Order Dated-11.08.2025**

Ld. Counsel for the respondent has filed replies to the misc. application as well as to the main appeal, copies of which have been supplied to Ld. Counsel for the appellant.

Accordingly, list the matter on 14.08.2025 for consideration of the misc. application filed for condonation of delay.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/13/2022**

**M/s BSL Scaffolding Ltd. Vs. APFC/RPFC, Delhi South.**

Present: Sh. Hari Arora, proxy for the Appellant.  
Sh. Prateek Tyagi, A/R for the Respondent.

**Order Dated-11.08.2025**

Proxy counsel appearing on behalf of the appellant has filed the rejoinder. Copy furnished to the AR for the respondent. AR for the respondent submits that the main counsel is not available today. Let it be fixed for 27.10.2025 for final arguments.

Atul Kumar Garg  
(Presiding Officer)

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

**705(4)2013**

**M/s Cocoon Exports vs. APFC, Delhi.**

Present: Sh. Prakash Kumar, proxy counsel for the Appellant.  
Sh. Vaibhav Prasad, A/R for the respondent.

**Order Dated-11.08.2025**

As the main counsel for the both the parties are not present.  
Accordingly, list the case on 09.10.2025 for final arguments.

Atul Kumar Garg  
(Presiding Officer)

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

**604(4)2015**

**M/s Pearson India Education Services Pvt.Ltd. vs. APFC, Delhi (N).**

Present: Sh. Akshita Salampuria, for the Appellant.  
Sh. Prateek Tyagi, A/R for the respondent.

**Order Dated-11.08.2025**

The AR appearing on behalf of the respondent has confirmed that whole amount as mentioned in the impugned order stands deposited with the respondent department and he has no objection if the appellant is allowed to withdraw the appeal.

In view of the above, the application of the appellant is allowed and the appeal is dismissed as withdrawn. Consign the record to the record room as per rules.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/18/2017**

**M/s Isha Natural Beauty Product & Wellness Pvt. Ltd. vs. APFC, Delhi (N).**

Present:           None for the Appellant.  
                      None for the respondent.

**Order Dated-11.08.2025**

Record perused. For the last several occasions matter has not come up on board and it has been adjourned en-block by the predecessor of this tribunal. Let the case be listed for final arguments on 30.10.2025. A notice be issued to both the parties through email.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/12/2018**

**M/s M.S. Vigilant Security Placement Detective Services Pvt. Ltd. vs.  
APFC, Delhi (E).**

Present:       None for the Appellant.  
                  Sh. Prakash Kumar Jha & Sh. Vaibhav Prasad, A/R for the  
                  Respondent.  
                  Workmen of the appellant establishment (list kept in file).

**Order Dated-11.08.2025**

Record perused. For the last several occasions matter has not come up on board and it has been adjourned en-block by the predecessor of this tribunal. Let the case be listed for final arguments on 03.11.2025. A notice be issued to the appellant.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/17/2018**

**M/s B.N. Gupta & Company vs. APFC, Delhi (E).**

Present:       None for the Appellant.  
                  Sh. Vaibhav Prasad, A/R for the Respondent.

**Order Dated-11.08.2025**

As none appeared on behalf of the appellant. Put up on 04.11.2025 for final arguments. Office is directed to issue notice to Id. Counsel for the appellant informing him the next date of hearing through email.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/98/2019**

**M/s Frontline (NCR) Business Solutions Pvt. Ltd. vs. RPFC, Delhi North.**

Present: Sh. Tathagat, proxy for the Appellant.  
Sh. S.N. Mahanta, Ld. Counsel & Sh. Mahender Meena, A/R  
for the Respondent.

**Order Dated-11.08.2025**

The counsel appearing on behalf of the appellant requested for an adjournment as the arguing counsel Sh. S.K. Khanna is not available today. In the interest of justice, adjournment is granted. Put up the case on 10.11.2025 for final arguments.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/99/2019**

**M/s Frontline (NCR) Business Solutions Pvt. Ltd. vs. RPFC, Delhi North.**

Present: Sh. Tathagat, proxy for the Appellant.  
Sh. S.N. Mahanta, Ld. Counsel & Sh. Mahender Meena, A/R  
for the Respondent.

**Order Dated-11.08.2025**

The counsel appearing on behalf of the appellant requested for an adjournment as the arguing counsel Sh. S.K. Khanna is not available today. In the interest of justice, adjournment is granted. Put up the case on 10.11.2025 for final arguments.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/100/2019**

**M/s Frontline (NCR) Business Solutions Pvt. Ltd. vs. RPFC, Delhi North.**

Present: Sh. Tathagat, proxy for the Appellant.  
Sh. S.N. Mahanta, Ld. Counsel & Sh. Mahender Meena, A/R  
for the Respondent.

**Order Dated-11.08.2025**

The counsel appearing on behalf of the appellant requested for an adjournment as the arguing counsel Sh. S.K. Khanna is not available today. In the interest of justice, adjournment is granted. Put up the case on 10.11.2025 for final arguments.

Atul Kumar Garg  
(Presiding Officer)

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

**D-1/33/2021**

**M/s Green Island Security Network vs. RPFC, Delhi East.**

Present: Sh. Prakash Kumar, proxy for the Appellant.  
Sh. Vaibhav Prasad, A/R for the Respondent.

**Order Dated-11.08.2025**

As the main counsel for both the parties are not present.  
Accordingly, List the matter on 09.10.2025 for final augments.

Atul Kumar Garg  
(Presiding Officer)