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

Item no.- 13

D-1/97/2019

M/s Reliance HR Services Pvt. Ltd. vs. APFC/RPFC Delhi (South).

Present: Sh. S.K Khanna, Ld. Counsel for the appellant.
Sh. S.N. Mahanta, Ld. Counsel for the respondent.

Order dated-23.09.2025

ORAL-

1. Appellant has pressed its application for condonation of delay stating that he did not receive the impugned order dated 29.02.2019 dispatched on 02.04.2019 because the RPFC dispatched the same at the old address knowing very well the new address of the appellant in Navi Mumbai. He has come to know about the order only on 06.09.2019, when the arrest warrant against the director of the appellant establishment for the recovery of the levied damages and interest at the new address has been received. He had requested for the copy of the order on 18.09.2019, then, only thereafter he had come to know about this order. He had filed the appeal on 27.09.2019 which is well within the limitation. He prayed that, delay if any, be condoned.

2. Respondent did not file any reply of the application, straightaway argued the case.

3. Counsel for the appellant has drawn the attention of this Tribunal towards the letter dated 03.12.2008, wherein he has informed the Central Provident Fund Commissioner vide letter 03.12.2008 about the change of their registered office from the Delhi Region to the Maharashtra Region on 26.03.2007 and the name of the company was changed to "Reliance HR Services Pvt. Ltd.". He has also applied for new code which was issued to the

establishment w.e.f. 01.03.2008 from Maharashtra. He has again drawn the attention of this Tribunal towards the letter dated 03.12.2008, addressed to the **Regional Provident Fund Commissioner, Employee Provident Fund Organisation, Nehru Place-S.A.O, 5th Floor, 60, Skylark Building, Nehru Place, New Delhi-110019,** wherein he has informed about the change of their registered office. He further referred to the letter dated 03.01.2009, wherein Smt. Vaishali Dayal, RPFC-II, Regional office-Mumbai-II, Thane has written the letter addressed to the RPFC, Employee Provident Fund Organisation, Nehru Place, New Delhi, with the request to transfer the past accumulations of all members along with updated annual statement of accounts as establishment have expressed the difficulty in settlement of PF claim of outgoing members.

4. His case is that, in fact impugned order dated 02.04.2019 was sent to M/s Pragati Value Added People Employability Solution, 8 Balaji Estate, Sudershan Munjal Marg, kalkaji, New Delhi-110019 which was the earlier name and the address of the appellant establishment. The case of the appellant that it was old address and it has never been received, even, the show-cause notice dated 06.09.2019 has been sent to the Mumbai address.

5. Considering the above said documents, where it is established that the appellant has changed the address as well as the name of the company and it was in the knowledge of the respondent and the order was sent to the previous address and in the previous name, application for condonation of delay stands allowed, assuming that the establishment has come to the knowledge of the order on 18.09.2019 and he had filed the appeal within the limitation.

6. With this observation, application stands disposed of. Reply of the appeal has already been filed. Let the matter be listed for argument on 17.11.2025.

Place in file

DA 26/9/25