

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

Appeal no. D-1/30/2025

M/s. Indev Consultancy Pvt. Ltd.

.....Appellant

Through:- Janme Jay, Ld. counsel for the appellant.

Vs.

APFC/RPFC , Delhi (South)

.....Respondent

Through:-Sh. B.B. Pradhan, Ld. Counsel along with Sh.
Prateek Tyagi, AR, for the respondent.

Order Dated:- 24.09.2025.

The appellant has pressed his application seeking stay on the impugned order passed by the Ld. RPFC under section 14B and 7Q of the **Employees Provident Fund and Misc. Provisions Act, 1952 (Hereinafter referred to as 'the Act')**, wherein the respondent authority has assessed the damages to the tune of Rs. 12,76,558/- and Rs. 6,12,893/- respectively. In the application, it is stated that huge loss would be caused in case the respondent is not restrained from taking action under the provisions of the Act. Except this, no other ground has been taken in the application. However, it has submitted today that most of the period pertains to the Covid-19 pandemic and huge loss would be caused if the stay is not granted.

The respondent has filed written submissions opposing this application. It took objection that the application has been under section 7-O of the Act, whereas the impugned orders were passed under sections 14B and 7Q of the Act. Secondly, it has referred to the CGIT procedure rules, 1997, wherein it has been mentioned that two orders cannot be challenged in a single appeal. The respondent has also relied upon the judgment of the Division Bench of Hon'ble High Court of Delhi in *M/s. Kee Pharma Ltd. vs. Union of India & Ors. (WP (c) 13217/2018* in

support of its contention. Lastly, it is submitted that the appellant has no balance of convenience, and prayed that the appeal be dismissed.

I have heard the arguments presented by both parties. It is an admitted fact that the appeal has been filed against the impugned orders dated 26.03.2025 passed under section 14B and 7Q of the Act. It is further admitted that the assessment pertains to delay in remittance of the Provident Fund contributions for the period from November 2019 to March 2023. Most of this period falls within the Covid-19 pandemic. Moreover, the Ld. Counsel for the appellant has agreed to deposit the interest component, stating that he will not press his appeal under section 7Q of the Act.

Considering the above facts on record, the appellant is directed to deposit the amount assessed under section 7-Q of the Act with the RPFC by way of challan, so the same can be credited to the accounts of the subscribers.

So far so the stay in regard to the impugned order passed under section 14B of the Act is concerned, the same is allowed. Considering that the period falls within the Covid-19 pandemic, the impugned order shall remain stayed without imposing any condition for stay.

Put up for filing of reply to the main appeal and reporting compliance on 04.11.2025.

Sd/-

Atul Kumar Garg
(Presiding Officer)