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BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM  
LABOUR COURT, DELHI-II

D-2/21/2025

M/s. Hank International vs. APFC, Noida

Present: Sh. S.K. Khanna, Ld. Counsel for the Appellant.  
Sh. B.B. Pradhan, Ld. Counsel for the Respondent.

**Order Dated-08.12.2025**

**Oral**

Respondent has filed the written submissions countering the submissions of the appellant in regard to the application for condonation of delay.

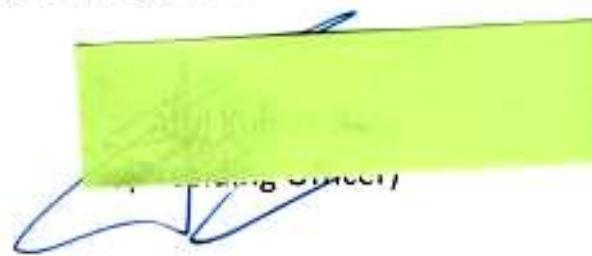
It is his contention that reply has not been approved by the department so, he has filed written submission countering the contention of the appellant in regard to his application for condonation of delay.

At the outset, he has stated that he is satisfied with the submissions of the appellant that the application of condonation of delay be allowed because in fact, the order has not been communicated through the respondent as it was evident from the impugned order itself.

I have heard the argument on behalf of both the parties and gone through the record of the case. Appellant has assailed the order u/s 7A of the EPF & MP Act dated 17.06.2020 wherein the amount of Rs.62,61,511/- has been assessed u/s 7A of the EPF & MP Act by the respondent. According to the appellant, the respondent has taken the figure from the balance sheet. However, it is a matter of fact that establishment was closed in the year 2016 itself. Also, he has not been communicated any summon regarding joining the enquiry.

Considering the fact that the enquiry has been completed in the Covid period and summon was never communicated to the appellant for joining the enquiry and it was an ex parte order, the matter is remanded back to the respondent to decide afresh after giving sufficient opportunities to the appellant to put forth his submissions. Consequent thereto order passed by the respondent dated 17.06.2020 is set aside and recalled. Enquiry shall be completed within six months of receipt of this order.

It is also important to mention here that respondent has never made any efforts to serve the summon/notice of the enquiry to the respondent otherwise, there is no reason, the appellant would not join the enquiry. In case, the recovery section can attach the account of the appellant and then appellant can rush to the department for obtaining the copy, then, certainly if extra efforts has been made by the respondent by visiting the bank or writing the communication to the bank about its operation as well as the phone number then, the situation would not have come. Record of this case be consigned to record room. A copy of this is sent to the parties through email.

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- The case has been  
remanded back . order  
be sent to the respondent  
through email.

DA

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10/12/25