

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

D-1/24/2023

M/s. Indraprastha Services vs. APFC Delhi West.

Present: Souhardya Biswas, proxy Counsel for the appellant.
Ms. Suwaleha Sidiqqi, proxy counsel (For Sh. Sandeep Vishnu)
for the Respondent.

Order dated-18.08.2025

A mail has been received from the counsel for respondent that he was under the impression that the matter was reserved for orders on the misc. application filed u/s 7 O of the EPF & MP Act, 1952. However, the matter is still fixed for arguments on the said application.

Record further reveals that on 24.01.2025 arguments on the said application were heard in part and the respondent was directed to produce the trial court record. The same was again reiterated in the subsequent order dated 10.02.2025, but the trial court record has not been submitted. In these circumstances, respondent is directed to bring the trial court record within two weeks. Put up on 02.09.2025 for arguments on the said application. Arguing Counsels for both the parties are directed to remain present on the next date of hearing for arguments on the said application. Meanwhile, interim orders to continue till next date of hearing.

Atul Kumar Garg
(Presiding Officer)

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

D-1/20/2025

M/s. Mayo International School vs. APFC/RPFC, Delhi East.

Present: Sh. Prakash Kumar, Ld. Counsel for the Appellant.
Sh. Narender Kumar, Ld. Counsel & Sh. Surender, A/R
for the Respondent.

Order dated-18.08.2025

1. This is an appeal filed on behalf of the appellant against the order dated 07.02.2025 passed by the respondent authority under section **14B & 7Q of the EPF & MP Act, 1952 (hereinafter referred as the Act)** wherein an amount of Rs.14,46,926/- & Rs.17,83,706/- is assessed as damages and interest for the belated payment of dues made during the period 01.04.2003 to 31.07.2024.
2. Along with the appeal, appellant has also filed a misc. application for grant of stay against the impugned orders stating that the appellant received a notice dated 09.09.2024 along with Annexure A & B showing damages calculation and statement showing amount payable under section 7Q and 14B of the Act respectively for the said period.
3. Annexure A was showing a proposed levied amount of Rs.94,177/- as damages and Rs.53,072/- as interest for the said period. However, annexure B was showing a proposed levied amount of Rs.13,52,749/- and Rs.17,30,634/- as damages and interest for the said period.
4. Ld. counsel for the appellant has stated in his application that the dues shown in Annexure A are acceptable to the appellant but the dues shown in annexure B pertain to the period of 04/2003 to 05/2006 and are related to a 7A enquiry which was decided on 31.01.2014 in respect of a complaint made by Ms. Anju Farswan and other Ex-employees of the establishment. It is the contention of the appellant that this amount was never deposited by the establishment but it was recovered by the

respondent department in furtherance of the 7A assessment order which was passed without identifying the beneficiaries. It is also submitted by the Id. counsel for the appellant that later on, Ms. Anju Farswan got settled her grievance with the establishment. Id. counsel for the appellant further submitted that the amount of Rs.13,52,749/- which was recovered by the respondent department on 03.03.2014 and 24.08.2015 respectively is lying unutilised without being credited in to the PF accounts of the respective members as no identification has been done by the assessing authority while passing the order u/s 7A of the Act. He again reiterated that only the amount shown in annexure A (i.e. Rs.94,177/- & Rs.53,072/-) is the correct liability and the appellant is ready to deposit the same. It is also submitted on behalf of the Id. counsel for the appellant that the impugned orders are non-speaking and are passed without considering the financial situation of the appellant who has no mens rea and the belated remittance of dues was non intentional and beyond the control of appellant.

5. Id. counsel for the appellant has filed his written reply/ objection to the said misc. application filed for seeking stay taking a preliminary objection that the appellant has challenged the order passed u/s 14 B and 7Q both whereas the order passed u/s 7Q is not appealable before this tribunal. He has further stated that the appellant is liable to deposit some amount due from him as there are no cogent reason as even worth to be recorded in writing to grant exemption or reduction in the amount assessed u/s 14B of the Act. Replying on the merits of the application, Id. counsel for the appellant stated that the impugned order passed by the respondent authority is a reasoned and speaking order which has been passed after considering all the material on record and in the light of facts and circumstances of the case after allowing ample opportunities of hearing to the appellant. Denying all the contentions of the misc. application, Id. counsel for the respondent stated that the appellant has no prima facie case to seek any exemption from depositing the amount.

6. I have heard the arguments at bar and gone through the record of the appeal. Considering the facts and circumstances and arguments made by both the parties, this tribunal is of the view that no case of unconditional stay has been made out and therefore, the appellant is granted stay on

operation of the impugned order passed u/s 14 B & 7Q of the Act subject to a deposit of amount shown in **Annexure A** by way of **FDR** favouring **'Registrar CGIT'** initially for a period of one year having auto renewal mode thereafter within a period of four weeks from today. It is made clear that if the appellant fails to comply with the condition laid down by this tribunal within the stipulated time frame, the stay shall not be in operation and the respondent shall have the liberty to execute the order as per rules. Put up on 08.10.2025 for reporting compliance by appellant as well as filing of reply to the appeal by Id. Counsel for the respondent. In the meanwhile, interim orders to continue till next date of hearing.

Atul Kumar Garg
(Presiding Officer)

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

D-1/56/2024

M/s. Thermoking vs. APFC/ RPFC Delhi North.

Present: Sh. Arun Mehta & Sh. Vikram Jeet Singh, Id. Counsel for the
appellant.

Sh. Mahendra Meena, A/R for the Respondent.

Order dated-18.08.2025

Ld. Counsel for the appellant has filed the rejoinder. The A/R appearing for the respondent submits that now the case has been transferred to the jurisdiction of EPFO, Regional office Delhi West. He is directed to communicate to Delhi West about the pendency of this appeal before this tribunal. Ld. Counsel for the appellant has filed the rejoinder. Additional copy is placed on record which is to be handed over to the respondent by this office. Put up on 11.11.2025 for final arguments.

Atul Kumar Garg
(Presiding Officer)

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

691(4)2013 & 1236 (4)2014

M/s. Bretton Woods Finlease Ltd. Vs. APFC/ RPFC Delhi.

Present: Sh. H.D. Sharma, Id. Counsel for the appellant.

Sh. Narender Kumar, Id. Counsel & Sh. Mahendra Meena, A/R for
the Respondent.

Order dated-18.08.2025

These are the two appeals filed by the appellant. First one is filed against the order dated 01.07.2013 passed u/s **14 B & 7 Q of the EPF & MP Act, 1952 (hereinafter referred as the Act)** assessing an amount of Rs.10,98,635/- and Rs.7,32,644/- as damages and interest for belated payment of PF dues. Subsequently, the appellant has challenged the order passed u/s 7A of the Act wherein the respondent has assessed the dues amounting to Rs.7,42,824/- which includes the period of damages imposed vide the earlier order dated 01.07.2013.

Counsel for the respondent submits that he is not in possession of any record pertaining to the appeal filed challenging the order passed u/s 7A of the Act. Pleadings have been completed long back. Respondent counsel is directed to apply for certified copy or any additional copy if available on record, then office may supply the same to the Id. Counsel for respondent.

List these two matters on 13.11.2025 for final arguments. In the meanwhile, Id. Counsel for the appellant is at liberty to inspect the trial court record. The A/R for the respondent has brought only the trial court record pertaining to the appeal challenging the order u/s 7A of the Act. The same is retained and A/R is directed to submit the rest of the trial court record within two days.

Atul Kumar Garg
(Presiding Officer)

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

1118(4)2015

M/s. Defence Services Officers Institute Vs. APFC/ RPFC Delhi (North).

Present: None for the appellant.
None for the Respondent.

Order dated-18.08.2025

Record perused. This case has been adjourned en-block since last several dates and no substantial progress has been made.

Let this matter listed for 13.11.2025. Let both the parties be given notice informing them the next date of hearing.

Atul Kumar Garg
(Presiding Officer)

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

728(4)2016

M/s. Lal Bahadur Shashtri Smarak Vs. APFC/ RPFC Delhi (North).

Present: Sh. Souhardya Biswas, proxy counsel for the appellant.
Sh. Satpal Singh, Ld. Counsel for the Respondent.

Order dated-18.08.2025

The proxy counsel appearing for the appellant requested for an adjournment which is opposed by Ld. Counsel for the respondent stating that the matter pertains to the year 2016. However, perusal of the record reveals that case has been adjourned en-block since last several dates and no substantial progress has been made.

Accordingly, in the interest of justice, request to grant adjournment is allowed with a direction to argue the matter positively on the next date of hearing. Put up on 17.11.2025 for final arguments.

Atul Kumar Garg
(Presiding Officer)

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

D-1/02/2018

M/s. Indian Red Cross Society Vs. APFC/ RPFC Delhi (North).

Present: Sh. Souhardya Biswas, proxy counsel for the appellant.
Sh. Kanhaiya Singhal, Ld. Counsel & Sh. Rahul, A/R for the
Respondent.

Order dated-18.08.2025

Record perused. This case has been adjourned en-block since last several dates and no substantial progress has been made.

Final arguments in the matter heard in part. The main contention of the Ld. Counsel for the appellant is that his application for coverage was processed late by the department and this resulted into late compliance of PF deposits. Therefore, he is not liable for payment of any damages and interest.

Ld. Counsel for the respondent is directed to bring the coverage file and documents showing then the application for coverage was submitted and when the PF code was generated.

Put up on 29.08.2025 for further arguments.

Atul Kumar Garg
(Presiding Officer)

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

D-1/60/2022

M/s. United Coffee House Vs. APFC/ RPFC Delhi (Central).

Present: Sh. Shivam Yadav, Ms. Jaswinder Kaur, counsel for the appellant.
Sh. Aamir Faiyaz, proxy Counsel & Sh. Rahul, A/R for the
Respondent.

Order dated-18.08.2025

Ld. Counsel for the respondent submitted that the respondent has filed the writ petition (civil) vide diary no.4711998 dated 15.07.2025 before Delhi High Court against the order dated 12.06.2025 passed by this tribunal whereby two applications of the respondent department- one for vacation of stay granted by this tribunal and another for early hearing of the appeal were dismissed subject to the cost of Rs.10,000/-.

Record further reveals that on 15.07.2025 when the matter was listed for reporting compliance of the order dated 12.06.2025, Id. Counsel for the respondent had assured that he has already informed the department to report compliance of the said order.

Ld. Counsel for the respondent further submitted that the writ petition filed by the department has not come on board and is likely to be listed within a week. Let this case be listed for depositing the cost on 01.09.2025.

Atul Kumar Garg
(Presiding Officer)

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

D-1/10/2023

M/s. Azure Hospitality Private Ltd. Vs. APFC/ RPFC Delhi (Central).

Present: Sh. H.D. Sharma, proxy counsel for the appellant.

Sh. Rahul, A/R for the Respondent.

Order dated-18.08.2025

As main counsel for both the parties are not present and request for adjournment is made jointly by both the parties. Put up the case for final arguments on 13.11.2025.

Atul Kumar Garg
(Presiding Officer)