

**BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM NO 208, ROUSE
AVENUE DISTRICT COURT COMPLEX, NEW DELHI-110002.**

APPEAL NO. D-2/16/2020

M/s. Durable Doors & Windows

Appellant

Vs.

APFC Gurugram (East)

Respondent

ORDER DATED 23.10.2020

The Ld. Counsel for the Respondent, Sh. B. B. Pradhan has filed one application dated 23.10.2020 for appropriate direction and consideration. Along with the application, there is one order of Hon'ble Delhi High Court dated 21.10.2020 in W.P.(C) 8281/2020 & CM APPLs.26846/2020, 26857/2020 titled M/s. Durable Doors and Windows vs. APFC, Gurugram wherein, the Hon'ble Hgh Court has observed that:-

.....Under these circumstances, no useful purpose would be served in allowing the CGIT to again consider the matter, as the original order itself is not an order on merits but in effect only a dismissal due to default. It is accordingly directed that the impugned orders dated 18th October, 2019 passed by the APFC read with order of the CGIT dated 12th October, 2020 shall stand set aside.

The Petitioner shall be given one final opportunity to file the objections and the relevant documents before the Original Authority i.e. the Assistant PF Commissioner to defend its petition. After going through the objections and after giving a hearing, the Assistant PF Commissioner may pas an order on merits under Section 14B of the EPF Act.

The APFC shall pass the final order within four weeks from the date of the first hearing, List before the APFC on 9th November,2020.

The writ petition is allowed in the above terms. All pending application are disposed of. Copy of this order be communicated to the Assistant Provident Fund Commissioner, Regional Office of Employees Provident Fund Organisation, Gurugram-II. Ld. Counsel for the Respondent to also communicate the present order to the APFC.

In view of the aforementioned order passed by Hon'ble Delhi High Court, the present appeal filed in this Tribunal stands disposed of. Record be consigned to the record room after sending the order to the parties as per rules.

Sd/-

Pranita Mohanty

(Presiding Officer)