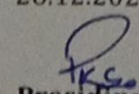


ORDERSHEET

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT,
JABALPUR (MP)**

**CASE NO. CGIT/LC/EPFA/70/2024
M/s Simplex Castings Ltd Vs APFC Raipur**

Date of Order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
12.09.2024	<p>Matter taken up.</p> <p>Shri Ajay Pal Singh, Learned Counsel for the Appellant. Shri J.K. Pillai, Learned Counsel for the Respondent.</p> <p>Perused the report of the Registry.</p> <p>Respondent Ld Counsel files Vakalatnama today, Also files objection on 7Q with scanned copy of affidavit and reply to IA with scanned copy of affidavit, undertakes to file the original affidavit till next date. Taken on record.</p> <p>The impugned order is of 08.07.2024. The appeal has been filed on 06.09.2024. The appeal is within limitation. Appeal is registered only under 14 B of Employees' Provident Funds and Miscellaneous Provisions Act, 1952</p> <p>As regards order under section 7Q of the Act, No appeal lies before this Tribunal. Hence, Appellant may seek remedy before proper forum in this respect.</p> <p>Heard both side on IA, Perused record and objections.</p> <p>The learned Counsel for Appellant presses his I.A.</p> <p>After hearing both the sides on the application for recovery of stay and objection against it and on perusal of the record. I am of the view that the Appellant has successfully made out a prima facie case in his favor and it will be in the interest of justice to stay the recovery but on certain conditions.</p> <p>Accordingly the recovery of the amount under appeal passed under Section 14-B of the Act is stayed, subject to the condition of deposit of 40% of the amount with the Respondent within 30 days from the date of order and file a compliance report. I.A. is disposed of accordingly.</p> <p>It is informed from the side of Appellant that their account has been attached for recovery of the amount under appeal. Hence, the attachment order be withdrawn or they be permitted to withdraw 40% of the amount under appeal.</p> <p>On hearing both the side on this prayer, It is ordered that the Respondent authority may withdraw 40% of the amount under appeal against order under section 14B from the account of the Appellant which has been attached and for the rest of the amount the attachment order as well as recovery process shall be kept in abeyance till disposal of the appeal.</p> <p>A copy of this order be sent to the concerned Branch Manager who will comply it without fail & release the attachment of account of Appellant after retaining 40% of the amount under section 14B.</p> <p>Respondent to file Counter within 04 weeks from today, after serving a copy to the learned Counsel of the Appellant. Rejoinder if any, within 02 weeks thereafter</p> <p>List the case for final arguments on 26.12.2024</p> <p style="text-align: center;"> Presiding Officer</p>	