ORDERSHEET

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

CASE NO.CGIT/LC/EPFA/83/2024

M/s Laxmi Mahila Nagrik Sahakari Bank Mydt. Raipur Vs RPFC Raipur

Date of Order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
03.12.2024	Matter taken up. Shri Shantanu Seth, Learned counsel for the Appellant. Shri J.K. Pillai, Learned counsel for the Respondent. Respondent filed objection on delay condonation & IA with affidavit. Taken on record. Perused the report of the Registry. The order under appeal has been passed under Section 14B of the Employees Provident Fund and Misc. Provisions Act. 1952, herein after referred to the word "Act', passed on 07.02.2024. The appeal has been filed on 21.11.2024, hence barred by limitation. The learned Counsel for the Appellant has referred to judgments from the Hon'ble High Court of Calcutta and the Hon'ble High Court of Delhi, bearing case numbers WPA 20721 of 2021, C.D. Steel Pvt. Ltd. & Others vs. Assistant Provident Fund Commissioner & Others, and WP(C) 1441/2021, Dewan Chand through its Partner Vikram Kumar vs. Central Board of Trustees through its Secretary & Others, respectively. The cited judgments are distinguishable on facts. In the light of Rule 7(2) of EPFA tribunal procedure rule 1997 which is reproduced as follows. **"Any person aggrieved by a notification issued by the Central Government or an order passed by the Central Government or any other authority under the Act, may within 60 days from the date of issue of the notification/order prefer an appeal to the Tribunal:** **Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the prescribed period, extend the said period by a further period of 60 days:** **.....** Acccordingly, the application for condonation of delay deserves to be rejected and is rejected. Holding the appeal barred by limitation it is disposed as such.	