

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

D-1/55/2024

M/s. Imperia Structures Limited vs. APFC/RPFC, Delhi (East).

Present: Sh. S.K. Gupta (main counsel), Sh. Harshit Kumar and Sh. Raj Kumar, Ld. Counsels for the Appellant.

Sh. S.N. Mahanta, Ld. Counsel along with Sh. Sunil Ranjan, AR for the Respondent.

Order dated- 26.09.2025

ORAL-

1. Appellant has pressed its application **under section 7-O of the EPF & MP Act, 1952 (Hereinafter referred to as 'the Act')**, seeking waiver of the pre-deposit. Appellant has stated that, while issuing the impugned order, respondent has totally ignored factual matrix placed before the respondent. Despite repeated requests, respondent neither summoned the contractors nor provided an opportunity for cross examination with three EOs who had inspected the establishment and made various reports, which do not tally each other.

2. Respondent has filed the reply to the application. He had stated that, as per section 7-O of the Act, no appeal shall be entertained without the deposit of 75% of the assessed amount. Appellant has failed to establish his case as an exceptional case which warrants exercise of discretionary power to reduce the said pre-deposit. He further submitted that section 7A order was passed after giving sufficient opportunities to the parties, keeping in view of the principle of natural justice and after considering the submissions made by the appellant and the respondent department.

3. I have heard the arguments at par and perused the record. Before proceeding further provision of Section 7-O of the Act is required to be reproduced herein:

7-O. Deposit of amount due, on filing appeal.—No appeal by the employer shall be entertained by a Tribunal unless he has deposited with it seventy-five per cent. of the amount due from him as determined by an officer referred to in section 7A:

Provided that the Tribunal may, for reasons to be recorded in writing, waive or reduce the amount to be deposited under this section

4. From the perusal of the above said section, it appears that before entertaining the appeal, appellant is required to deposit the 75% of the assessed amount under section 7-A. At the same time, a provision has been made whereby the Tribunal has been given wide discretion to reduce or waive the pre-deposit amount.

5. From the perusal of the impugned order, it appears that respondent has assessed the dues in three parts i.e. covered contractors, uncovered contractors and special allowances. Amount has been taken as 30% of the charges paid to the contractors. All these contentions raised by the appellant are required to be considered at the time of final disposal of the appeal. However, at this stage, a case for total waiver has not been made out.

6. Accordingly, this tribunal directs the appellant to deposit the 20% of the assessed amount. Appellant is directed to deposit the said amount by way of an **FDR** favouring the '**Registrar CGIT**', initially for a period of one year having auto renewal mode, within six 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 for reporting compliance by the appellant on 03.12.2025. 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**

896(4)2012

M/s Ahluwalia Contract India Ltd. vs. APFC/RPFC, Delhi.

Present: Sh. Rajiv Arora, Ld. Counsel for the Appellant.
Sh. S.N. Mahanta, Ld. Counsel & Sh. A.S. Negi, A/R for the
Respondent.

Order Dated-26.09.2025

Ld. Counsel for the respondent has filed his vakalatnama stating that he has been engaged in this matter today only. Ld. Counsel for the appellant submitted that the LCR which is deposited by the respondent department is not complete as 14,000 original form 11 are not filed along with the LCR which were submitted by the appellant during the course of enquiry conducted before the respondent authority. He further stated that an affidavit should be filed on behalf of the respondent that the complete LCR available with the office of the respondent has been deposited before this tribunal.

The Id. counsel for the respondent as well as the AR requested for more time to file the same. Put up the matter on 09.12.2025 for filing of affidavit on behalf of the respondent and final arguments in the matter.

Atul Kumar Garg
(Presiding Officer)

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

593(4)2007

M/s Indcon Projects and Equipment vs. APFC/RPFC, Delhi East.

Present: Sh. S.K. Gupta, Ld. Counsel for the Appellant.
Sh. S.N. Mahanta, Ld. Counsel & Sh. Sunil Ranjan, A/R
for the Respondent.

Order Dated-26.09.2025

LCR is released. Part argument heard. Put up for further argument on
28.10.2025.

Atul Kumar Garg
(Presiding Officer)

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

354(4)2013

M/s Harish Sahni & Shashi Sahni vs. APFC/RPFC, Delhi

Present: Sh. Harish Sahni & Smt. Shashi Sahni, appellant in person
Sh. S.N. Mahanta, Ld. Counsel & Sh. A.S Negi, A/R for
the Respondent.

Order Dated-26.09.2025

Record perused. Appeal has been filed assailing order u/s 14B and 7Q of the EPF & MP Act, 1952. 31.12.2012. In between an application have been filed for impleadment by Ms. Shashi Sahni that was allowed by predecessor of this Tribunal that was allowed vide order dated 18.10.2023.

Record further perused that whenever this matter is taken up by this Tribunal, impleaded party has started making noise. This tribunal is not able to understand his arguments and submissions. Therefore, this tribunal requested the impleaded party to engage a legal practitioner otherwise, this tribunal shall proceed without hearing their arguments. Put up on 05.12.2025.

Atul Kumar Garg
(Presiding Officer)