BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

D-1/44/2023

M/s. Sumitra International vs. APFC/RPFC, Delhi (West)

Present:

Sh. Sauhardya Biswas, proxy counsel for the Appellant.

Ms. Swati Surhatia, Ld. Counsel for the Respondent.

Order dated-18.09.2025

Proxy counsel for appellant submits that his main counsel is not available due to the reason he has to go to a condolence meeting. The case is adjourned for 19.09.2025. In the meanwhile, interim order to continue till then.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM

LABOUR COURT, DELHI

D-1/46/2023
M/s SMS Prayavaran Ltd. vs. APFC/RPFC, Delhi (North).

Present: Sh. Akshay Choudhary, Ld. Counsel for the Appellant.
Sh. Sagar Kumar, Ld. Counsel for the Respondent.

Order Dated-18.09.2025

Ld. Counsel for the appellant pressed his misc. application filed for condonation of delay. He submitted that the order dated 23.12.2022 passed under section **14B & 7Q of the EPF & MP Act, 1952** were received only on 24.01.2023 to Mr. Sanjeev Bhushan Deora, Resolution Professional as the company was undergoing insolvency proceedings vide order dated 03.01.2020 of NCLT.

He further submitted that the present appellant is the SRA as NCLT had approved the Resolution plan vide order dated 21.02.2023 and it became aware of passing of the impugned order only in the third week of March, 2023. Stating the above averments, ld. counsel for the appellant prayed for condoning the delay of nineteen days in filing the present appeal.

Ld. Counsel for the respondent has filed his reply to the misc. application filed for condonation of delay wherein he has stated that the impugned orders were handed over to the RP on 24.01.2023 which should be considered as date of knowledge to the appellant. It is further stated on behalf of the respondent that the complete set of claims along with the impugned orders were supplied to the RP and therefore, the present application be dismissed for want of knowledge and the appellant be put to strict proof thereof. Respondent has also submitted in the said reply that one Sh. Sudhir Narayan Modak who was well-versed with the facts of the case has been working as a director at the appellant establishment since 01.02.1995 and as per the resolution plan submitted on 12.05.2021 the same person will be acting as the Managing Director of

the company. It is prayed on behalf of the respondent that as the management of the company is the same and there are no financial constraints before the appellant establishment, the present application for condonation of delay be dismissed.

Before proceeding further, language of Rule 7(2) is required to be produced herein:

> ***Rule 7(2) Fee, time for filing appeal, deposit of amount due on filing appeal.- (1)….***
> *(2) 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**:*
> *Provided further that no appeal by the employer shall be entertained by a Tribunal unless he has [deposited with the Tribunal a Demand Draft payable in the Fund and bearing] 75 per cent of the amount due from him as determined under section 7A:*
> *Provided also that the Tribunal may for reasons to be recorded in writing, waive or reduce the amount to be deposited under section 7-O.*

I have heard the argument at bar and gone through the record of this case. The present application filed on behalf of the appellant for condonation of delay stands allowed. Put up the matter on 25.11.2025 for consideration of the stay application. 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-1/17/2024
M/s Micromax Informatics Ltd. vs. APFC/RPFC Delhi West.

Present: None for the Appellant.
Ms. Pragya Yadav & Sh. Sandeep, for the Respondent.

Order Dated-18.09.2025

On behalf of Sh. Rajesh Kumar, Ld. Counsel for the respondent, an amended memo of parties has been filed stating that the jurisdiction of this case has been changed from Delhi (North) to Delhi (West). Registry is directed to amend the case title. Since, Sh. S.K. Khanna, ld. counsel for the appellant has conveyed about his unavailability today, this case is listed for argument on the stay application on 19.11.2025. In the meanwhile, interim order to continue till next date of hearing.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

309(4)2017
M/s M.R Enterprises vs. APFC/RPFC Delhi South.

Present: None for the Appellant.
Sh. D.R. Rao, Ld. Counsel for the Respondent.

Order Dated-18.09.2025

Ld. Counsel for the respondent submits that he needs more time to file written submission and for this he seeks adjournment.

Record perused. This matter has been adjourned en-bloc since 2023, hence, notice be issued to the appellant through email. Put up for 19.11.2025.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

318(4)2017
M/s Superwell Services vs. APFC/RPFC Delhi East.

Present: Sh. S.K. Gupta, Ld. Counsel for the Appellant.
Ms. Pragya Yadav, Proxy & Sh. Pradeep Kumar, A/R for the Respondent.

Order Dated-18.09.2025

It has been communicated by the respondent proxy counsel that main counsel Sh. Rajesh Kumar has returned the case to the respondent department. In these circumstances, Put up for final arguments on 01.12.2025. In the meanwhile, department is directed to engage new counsel.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

D-1/05/2018
M/s Raheja Developer Pvt. Ltd. vs. APFC/RPFC Delhi South.

Present: Sh. Sauhardya Biswas, proxy for the Appellant.
Ms. Pragya Yadav, proxy for the Respondent.

Order Dated-18.09.2025

It has been communicated by the respondent proxy counsel that main counsel Sh. Rajesh Kumar has returned the case to the respondent department. In these circumstances, Put up for final arguments on 01.12.2025. In the meanwhile, department is directed to engage new counsel.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

D-1/15/2020
M/s NMS Enterprises Ltd. vs. APFC/RPFC Delhi East.

Present: Sh. B.K. Chhabra, Ld. Counsel for the Appellant.
Sh. Narendra Kumar, Ld. Counsel for the Respondent.

Order Dated-18.09.2025

Part argument heard. Put up for 01.12.2025 for further arguments.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

D-1/34/2021

M/s State Council of Educational Research and Training vs. CBT through CPFC/APFC Delhi East.

Present: Sh. Sauhardya Biswas, proxy counsel for the Appellant.

Sh. B.B. Pradhan, Ld. Counsel & Sh. Pradeep Kumar, A/R for the Respondent.

Order Dated-18.09.2025

Main counsel for the appellant is not present. So the proxy counsel seeks adjournment. Put up for 20.11.2025.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

D-1/40/2021
M/s Pranciscan (Franciscan) Sisters Trust vs. APFC/RPFC Delhi South.

Present: None for the Appellant.
Sh. Vijay Kumar, Ld. Counsel for the Respondent.

Order Dated-18.09.2025

Ld. Counsel for the respondent submits that he is not in possession of the copy of the reply filed by the respondent. He requested to grant him the permission to inspect the file and obtain the copy of the reply.

In the meanwhile, office is directed to issue notice to the ld. counsel for appellant through whatsapp on his mobile number. A notice be also issued to the appellant through post. Put up for 20.11.2025.

Atul Kumar Garg
(Presiding Officer)

Later Sh. Punit Srivastava, Advocate appeared on behalf of the appellant and noted the next date of hearing after marking his presence on the cause list of the day. Accordingly, the direction for issuance of notice are dispensed with.

Atul Kumar Garg
(Presiding Officer)

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI

D-1/24/2022
M/s Bristol Aircon Pvt. Ltd. vs. APFC/RPFC Delhi North.

Present: None for the Appellant.
Sh. Sandeep, A/R for the Respondent.

Order Dated-18.09.2025

AR appearing on behalf of the respondent submits that Sh. Manu Parashar is not available today. Earlier, counsel of the appellant has conveyed about his unavailability for today. In view of the above said fact, this appeal is listed for argument on 24.11.2025. In the meanwhile, office is directed to issue notice to the appellant through email.

(Atul Kumar Garg
(Presiding Officer)