

**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-1/11/2022

M/s. Walter Bushnell Medipure Pvt. Ltd.
Through None for the Appellant

Appellant

Vs.

EPFO, Delhi(S)
Through None for the Respondent

Respondent

ORDER DATED :- 11/03/2022

List the matter again for admission hearing on 23/03/2022.
Issue notice to both the parties.

Presiding Officer

**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. 593(4)2007

M/s. Indecon Projects & Equipment
Through None for the Appellant

Appellant

Vs.

RPFC, Delhi(E)
Through Sh. Prem Prakash, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 11/03/2022

Arguments on the miscellaneous petition filed for vacation of stay heard and concluded. List the matter on 21.03.2022 for pronouncement of order on the same.

Presiding Officer

**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. 1081(4)2014

M/s. Hindustan Petroleum Corp. Ltd.
Through None for the Appellant

Appellant

Vs.

APFC, Delhi
Through Sh.Prem Prakash, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 11/03/2022

Arguments on the miscellaneous petition filed for vacation of stay heard and concluded. List the matter on 21.03.2022 for pronouncement of order on the same.

Presiding Officer

**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. 1077(4)2015

M/s. Jai Balaji Security Services Appellant
Through Sh. Manish Malhotra & Sh. Sandeep Kumar, Ld. Counsel for the Appellant

Vs.

APFC, Delhi(N) Respondent
Through Sh.Prem Prakash, Ld. Counsel for the Respondent

ORDER DATED :- 11/03/2022

Arguments on the miscellaneous petition filed for vacation of stay heard and concluded. List the matter on 21.03.2022 for pronouncement of order on the same.

Presiding Officer

**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. 1009(4)2016

M/s. R.D Public School Appellant
Through Sh. Manish Malhotra & Sh. Sandeep Kumar, Ld. Counsel for the Appellant

Vs.

APFC, Delhi(N) Respondent
Through Sh. Prem Prakash, Ld. Counsel for the Respondent

ORDER DATED :- 11/03/2022

Arguments on the miscellaneous petition filed for vacation of stay heard and concluded. List the matter on 21.03.2022 for pronouncement of order on the same.

Presiding Officer

**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. 949(4)2016

M/s. G & G Services Pvt. Ltd.
Through None for the Appellant

Appellant

Vs.

APFC, Delhi(E)
Through Sh. Prem Prakash Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 11/03/2022

Arguments on the miscellaneous petition filed for vacation of stay heard and concluded. List the matter on 21.03.2022 for pronouncement of order on the same.

Presiding Officer

**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-1/09/2017

M/s. Prabhat Zarda Factory
Through Ms. Nitu Mishra, Ld. Counsel for the Appellant

Appellant

Vs.

APFC, Delhi(N)
Through Sh. Prem Prakash, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 11/03/2022

Arguments on the miscellaneous petition filed for vacation of stay heard and concluded. List the matter on 21.03.2022 for pronouncement of order on the same.

Presiding Officer

**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-1/05/2017

M/s. Ganges International Pvt. Ltd.
Through None for the Appellant

Appellant

Vs.

APFC, Delhi(N)
Through Sh. Prem Prakash, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 11/03/2022

As the miscellaneous petition filed on behalf of the respondent stands rejected vide order dated 10.12.2021, therefore, list the matter on the date already fixed i.e. 15.03.2022 for final arguments in this matter.

Presiding Officer

**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. 1026(4)2014

M/s. Ajay Earth Movers
Through None for the Appellant

Appellant

Vs.

APFC, Delhi
Through Sh. Prem Prakash, Ld. Counsel for the Respondent no. I

Respondent no.I

ORDER DATED :- 11/03/2022

Arguments on behalf Respondent no. I heard and concluded. The Ld. Counsel for the Respondent also requested to file written notes of arguments. The written submissions made on behalf of Respondent no. 2,3,4 & 5 were also perused during the course of hearing. List the matter on 06/04/2022 for pronouncement of order on the same.

Presiding Officer

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, ROUSE AVENUE,
DISTRICT COURT COMPLEX, DELHI.**

Present:

Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

ATA No. D-2/14/2019

M/s. Fernas Construction India Pvt. Ltd.

Appellant

VS.

APFC, Gurgaon

Respondent

ORDER DATED :-11/03/2022

Present:- Shri S.K Khanna, Ld. Counsel for the appellant.
Shri S.N Mahanta, Ld. Counsel for the Respondent.

The matter came up today by way of mentioning since the LD. Counsel for the respondent filed an application on 09.03.2022 praying therein that an order be passed vacating the stay granted against the impugned order and allowed the respondent to recover the assessed amount. Copy of the petition was served on the Ld. Counsel for the appellant and the matter was heard being argued by the counsels.

On perusal of the application filed by the respondent it is found that the respondent wants vacation of stay granted by order dated 17.12.2019. Mr. Mahanta the Ld. Counsel for the respondent submitted that unless there would be a speaking order vacating the stay, the respondent authority would not be in a position to execute the impugned order.

It is surprising that the respondent authorities have moved this application without understanding the spirit of the order dated 17.12.2019 and the direction given there under. At the cost of repetition it is observed that the order of interim stay was a conditional order where under there was a direction that the stay will continue till disposal of the appeal subject to the condition that the appellant shall deposit Rs. 500,000/- by way of challan before the authority within 3 weeks. In the said order dated 17.12.2019 it was made clear that the appellant shall report compliance within 3 weeks from the date of order failing which there will be no stay on implementation of the order.

It is not understood how this order written in simple English language could not be properly interpreted by the authority who instructed their penal counsel to file such an application which served no purpose than over burdening the docket of the tribunal which is already heavy. While rejecting the application as without merit it is

observed that the EPF Authorities shall restrain themselves from filing such kind of petitions in future which has the effect of causing dislocation in the smooth functioning of the tribunal. Since, the respondent is a government organization the tribunal restrains itself from imposing any cost on them for filing such kind of petitions. Call on 23.03.2022 for final argument.

Presiding Officer

**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-2/29/2019

M/s. Ascot Estates(Manesar) Pvt. Ltd.
Through None for the Appellant

Appellant

Vs.

RPFC, Gurgaon
Through Sh. Chakradhar Panda, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 11/03/2022

Arguments on the miscellaneous petition filed for vacation on stay heard and concluded. List the matter on 21.03.2022 for pronouncement of order on the same.

Presiding Officer

**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. 811(4)2014

M/s. YKK India Pvt. Ltd. Pvt. Ltd.
Through Sh. Vivek Kaushal, for the Appellant

Appellant

Vs.

RPFC, Gurgaon
Through Sh.S.C Gupta, Ld. Counsel for the Respondent

Respondent

ORDER DATED :- 11/03/2022

Final arguments in the matter heard and concluded. List the
matter on 06/04/2022 for pronouncement of order.

Presiding Officer