

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

**CASE NO. CGIT/LC/EPFA/12/2021**  
**Indian Red Cross society Vs. RPFC, Bhopal**

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
28-6-2021	<p>Taken up though video conferencing.</p> <p>Shri Uttam Maheshwari, learned counsel for the appellant.</p> <p>Shri J.K.Pillai, learned counsel for the Management.</p> <p>The Present appeal is filed on 27-4-2021 against the order dated 16-12-2020, hence barred by limitation.</p> <p>Applicant has filed an application for relief supported with affidavit. Reply against application for condonation of delay filed by respondent taken on record. Heard both the learned counsel on condonation of delay. The prescribed period for limitation is 60 days which can further be extended for another 60 days as per rules , subject to sufficient grounds. The ground taken is that the copy was served not on the date of the order but later on. This fact is not specifically controverted in reply, hence delay in filing the appeal is condoned.</p> <p>The appellant has filed another application under Section 7A to dispense with the mandatory deposit of 75% of assessed amount on the ground mentioned in the application itself, supported by an affidavit. Another application for recovery of the amount under appeal has also been filed.</p> <p>The Respondent has filed objection on these two</p>	

application with an affidavit which are taken on record.

I have heard both the learned counsel on these two applications. The main ground is that the EPF dues were already deposited but the assessment is relation to certain allowance which were not taken for calculation in deposit of amount by the appellant/company and accordingly, it has been prayed that the deposit of the amount be dispensed with .

Learned counsel for the respondent has opposed the application and the stay application also on the ground that the Act is a beneficial legislation and money requires to be deposited so that interest accrued may be given to the employees.

After having considered the rival arguments in the light of reference and the facts and circumstances of the case in hand, the interest of justice will meet in my view, if the appellant is directed to deposit 50% of the amount under appeal under Section 7A of the Employees Provident Fund & Misc. Provisions Act,1952. Accordingly the appellant is directed to deposit 50% of the amount under appeal within 30 days from today in favour of **Registrar CGIT(Payable at New Delhi)**. Subject to deposit of amount stated above, the recovery of remaining amount shall remain stayed.

Respondents to counter within 30 days from today with documents after serving a copy thereof to learned counsel for the appellant. Rejoinder if any, within 15 days thereafter.

**List on 11-8-2021 for final arguments.**

**PRESIDING OFFICER**

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