

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

CASE NO. CGIT/LC/EPFA/15/2021
M/s Heroes Convent CO_ED, Bhopal Vs. RPFC Bhopal

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
16-7-2021	<p>Taken up through video conferencing.</p> <p>Shri Abhinav Shrivastava, learned counsel for the appellant.</p> <p>Shri J.K.Pillai, learned counsel for the Respondent.</p> <p>Perused the report of the Registry.</p> <p>The impugned order is dated 27-4-2021. The appeal has been filed on 13-7-2021. There is an application for condonation of delay along with affidavit filed by the appellant for condoning delay in filing the present appeal. The Appellant has also filed an application to dispense with the deposit of 75% of the amount under appeal with an affidavit.</p> <p>The Respondent has preferred written objection on these two applications.</p> <p>I have heard learned counsel for both the sides and have perused the record. The Appeal is within extended 60 days period of limitation. Thus keeping in view the recent pandemic and order of Hon'ble High Court of M.P. dated 15-6-2021 passed in Writ Petition No.8820-2021 (In reference to suo motu Vs,. Union of India & Others) , the delay is liable to be condoned.</p> <p>Accordingly allowing the application for condonation of delay, the appeal is admitted for hearing..</p> <p>As regards application under Section 7(o) of the Act , for dispensing with the deposit, I have heard carefully both the sides and perused the record. The arguments of learned counsel for appellant that the appellant are no profit no loss institution and they have been short of funds due to lock downs, makes out a case for dispensing with atleast 50% of the amount under appeal.</p>	

Accordingly allowing application under Section 7(o) of the Act, it is directed that if the appellant deposits 50% of the amount under appeal within 30 days from today and files a written proof in this respect, the appeal shall be admitted for hearing. The recovery of the rest of the amount shall remain stayed till final disposal of the appeal.

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

List the case for final arguments on **8-10-2021**

PRESIDING OFFICER

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