

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

CASE NO. CGIT/LC/EPFA/228/2017
M/s Sharif Bidi Company Bhopal Vs. Apfc,bHOPAL

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
19-3-2021	<p>Taken up.</p> <p>Shri Pranay Choubey learned counsel for the appellant. Shri J.K.Pillai, Learned counsel for the respondent.</p> <p>Counsel for appellant filed an application for extension of time for compliance or order dated 7-2-2020 passed in concerned EPF-Misc-Case No.21/2019. Copy served on respondent. Heard learned counsel for both the parties and perused the record.</p> <p>EPF-Misc-21/2019 was filed by appellant/applicant for restoration of the present appeal dismissed due to non-presence of appellant. This misc. case was disposed of vide order dated 7-2-2020. The said appeal was to be restored on the condition of payment of cost of Rs.10,000/- by appellant to respondent within 15 days of the order which expired on 22-2-20. This cost was never deposited . No compliance was done by the appellant, when on 18-3-2021 the appeal was taken up for hearing, this point was first raised by learned counsel for the respondent for clarifications. Today it was fixed for hearing and today this application has been filed by appellant.</p> <p>Learned counsel for appellant/applicant submitted that due to inadvertence on his part , the order could not be communicated to appellant and the cost could not be deposited. He seeks time for depositing the cost in compliance of the order.</p> <p>The application has been vehemently opposed by learned counsel for respondent with a submission that there is a delay of more than one year in compliance which cannot be excused on the ground of inadvertence. The party</p>	

has to suffer for inadvertence of its counsel.

The Courts are not meant for punishing the parties for their fault. Their job is to dispense justice between the parties. A litigant cannot be allowed to suffer for the fault of his counsel. Hence the application may be allowed, subject to additional cost, hence allowing the application for extension filed today at a cost of Rs.10,000/- a period of 10 days granted for depositing the total cost Rs.20,000/- with the respondent and file compliance before this Tribunal. Failure to comply, for any reason what so ever, will result in dismissal of the appeal due to non-compliance.

List the case on 8-4-21 for further orders.

PRESIDING OFFICER

