

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

CASE NO. CGIT/LC/EPFA/Misc-06-2021
Indian Institute of Management Vs. APFC Indore

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 vide0 conferencing.</p> <p>Shri Uttam Maheshwari, learned counsel for the appellant.</p> <p>Shri J.K.Pillai, learned counsel for the Respondent.</p> <p>The Misc. application has been filed by appellant to restore Appeal No.19/2017 on its original side.</p> <p>Application for condonation of delay has also been filed with affidavit.</p> <p>The Respondent side has preferred written objection on these two applications.</p> <p>I have heard arguments of learned counsel for both the sides and perused the record.</p> <p>The Appeal No.19/2017 was dismissed due to non-presence of appellant vide order dated 22-2-2021. The restoration application has been filed on 7-7-2021. It is barred by limitation. Learned counsel for appellant has referred to an 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) wherein it has been observed that all the interim protection given by order dated 23-4-2021 shall stand extended up to 15-7-2021. These interim orders relate to extension of period of limitation during second wave of pandemic.</p> <p>Learned counsel for respondent has opposed the application for condonation of delay and restoration.</p> <p>It comes out from the perusal of the record that the Appeal was dismissed for non-presence on 22-2-2021, hence the period of limitation of 30 days expired on 25-3-</p>	

2021 i.e. to say that after 25-3-2021 the application became barred by limitation. The order of Hon'ble High Court extends limitation for the cases which were under limitation on the date of the order i.e. 23-4-2021. At this stage, the learned counsel for appellant seeks and is granted time for citing order of Hon'ble Apex Court and other case laws .

Accordingly the matter be listed on 19-7-2021.

PRESIDING OFFICER