

ORDER SHEET

DATE OF ORDER OF PROCEEDING	ORDER OR PROCEEDING WITH SIGNATURE OF PRESIDING OFFICER	REMARK
	Case No. CGIT/LC/EPFA/12/2025 Guru Ghasidas Vishwavidyalaya Vs. RPFC, Bilaspur	
11.04.2025	<p>Matter taken up.</p> <p>Learned Senior Counsel Mr. Ashish Shrivastava present for Appellant Establishment assisted by Mr. Ghanshyam Burman and Prashant Bairagi. Learned Counsel for Respondent Authority Mr. Jubin Prasad present, files objection on application of Appellant Establishment for condonation of delay with affidavit both photocopy, undertakes and is directed to file originals also. Copies served on Appellant Establishment.</p> <p>Learned Senior Counsel for Appellant Establishment his application of condonation of delay. Heard both the sides and perused the record. Order under appeal was passed on 30.12.2021. According to Appellant Establishment, notice for recovery of the amount assessed was issued u/s. 8-F of the Act immediately after the order. Hence, they had to approach Hon'ble High Court of Chhattisgarh at Bilaspur by way of filing a W.P.L. 21/2022 which was decided by a Single Bench on 23.02.2022. A Writ Appeal No. 307/2022 was decided by Division Bench on 21.04.2023. A SLP(C) Diary No. 42288/2023 was decided by Hon'ble the Apex Court on 29.01.2024. Thereafter, as submitted by learned Senior Counsel, a review petition filed Diary No. 34556/2024 filed by Appellant Establishment was decided on 22.01.2025. Further it is submitted that High Court had directed the Appellant Establishment to approach this</p>	

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	<p>Tribunal in appeal, which became final by the order in Review Petition. Learned Senior Counsel submits the appeal is within period of limitation from the date of review, further submits that there are serious question of law to be decided in this appeal, hence justice requires that delay be condoned and the lis be decided on merit.</p> <p>Learned Counsel for Respondent Authority opposes this application with an argument that the SLP was filed about after six months from the date of order in writ appeal and the review petition was filed after approximately seven months from date of order in SLP, which goes to show that the Appellant Establishment has not been serious remedy in law, learned Counsel seeks dismissal of condonation application.</p> <p>On perusal of record in the light of rival arguments, it comes out that the Appellant Establishment has been pursuing remedies in different Forums. They were directed to approach this Tribunal by Hon'ble High Court which was confirmed upto review petition. Since, the time has been consumed in pursuing remedies though in different Forums, keeping in view the fact that interest of justice will not be served in punishing the Appellant Establishment for this, rather it will be served in disposing the lis on merits which is policy of law, the application for delay requires to be condoned in these circumstances.</p>	

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	<p>As regards, the application u/s. 7-O of the Act seeking waiver in pre-deposit, though the Respondent Counsel has preferred objection with affidavit (photocopy filed and undertaking given to file the original also), since whole of the amount has been recovered which is the status at present, the requirement of pre deposit is dispensed with.</p> <p>Register. Copy of memo of appeal and documents have already been served on Respondent Learned Counsel. Counter within four weeks. Rejoinder within two weeks thereafter.</p> <p>List on 22.08.2025 for final Arguments.</p> <p>Upload this order.</p> <p style="text-align: right;">Presiding Officer</p>	