

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-2, MUMBAI**

APPEAL NO. CGIT- 2 / EPFA /5 /2024

M/s. Davi Engineering Pvt. Ltd.

- Appellant

V/s.

The Assistant Provident Fund Commissioner,

EPFO, Pune.

- Respondent

ORDER

(Delivered on 17-09-2024)

Read application for condonation of delay in filing the appeal.

Heard both the Parties.

It reveals that, the appellant-applicant has challenged the legality of the order dated 12.09.2023 passed u/s. 14B & 7-Q of the Employees' Provident Funds and Miscellaneous Provisions Act 1952, in an appeal, which is filed on 02.01.2024 i.e., after prescribed period of limitation of 60 days.

According to the applicant, due to financial difficulty and for want of appropriate legal advice he was prevented from filing an appeal within 60 days and there is delay of 47 days after the prescribed period of limitation therefore prayed for its condonation.

As per the settled position of law the Tribunal can condone the delay after prescribed period of limitation of 60 days for further period of 60 days only on sufficient ground. In the case in hand, the applicant seems to be prevented due to financial difficulty therefore considering the reasons in my opinion, the applicant is certainly entitled for condonation of delay of 47 days.

In the result, the application for condonation of delay is allowed. The delay in filing the appeal is condoned.

Sd/-

Date: 17-09-2024

(Shrikant K. Deshpande)
Presiding Officer
CGIT -2, Mumbai