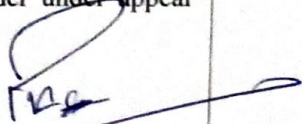


ORDER SHEET

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

CASE NO. CGIT/LC/EPFA/53/2022

M/S National Institute of Technology, Raipur V/S RPFC, Raipur

Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
06-12-2022	<p>Matter taken up.</p> <p>Shri Praveen Yadav, Counsel for the Appellant. Shri Abhishek Arjaria, counsel for the respondent. Perused the report of the Registry.</p> <p>The order under appeal is the common order under Section 14-B and 7Q of the Employees Provident Fund and Misc. Provisions Act, 1952, here in after referred to the word 'Act', passed on 30.06.2022. The appeal has been filed on 25.10.2022, hence barred by limitation. The appellant has filed an application for condonation of delay.</p> <p>The delay is to be condoned inspite of being vehemently opposed by the learned counsel for the respondent. Accordingly condoning the delay the appeal is registered.</p> <p>As regards maintainability of Appeal against Order U/S 7Q, which is separately passed, it is made clear that this Appeal has been admitted only against Order U/S 14B of the Act. The Appellant may seek remedy in proper forum with regard to Order under 7Q, as it is not maintainable in this Tribunal.</p> <p>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.</p> <p>Learned counsel for the appellant further pressed his application for stay filed with affidavit.</p> <p>The respondent has vehemently opposed this application.</p> <p>After hearing both the sides on the application for recovery of stay and objection against it and on perusal of the record. I am of the view that the appellant has successfully made out a prima facie case in his favor and it will be in the interest of justice to stay the recovery but on certain conditions.</p> <p>Accordingly the recovery of the amount under appeal passed under Section 14-B of the Act is stayed, subject to the condition of deposit of 40% of the amount with the Respondent within 30 days from the date of order and file a compliance report. I.A. is disposed of accordingly. Any amount recovered under the order under appeal shall be adjusted in 40% of the amount.</p> <p>List the case on 20.03.2023 for Arguments.</p> <p style="text-align: right;"> Presiding Officer</p>	