

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

APPEAL NO. CGIT- 2 / EPFA /56 /2021

M/s. Kurundwad Municipal Council. - Appellant

V/s.

The Assistant Provident Fund Commissioner,
EPFO, Kolhapur. - Respondent

ORDER

(Delivered on 26-08-2024)

Read application for condonation of delay in filing the appeal. Perused the say given on behalf of the opponent.

Heard both the Parties.

It reveals that, the appellant has challenged the legality of the order dated 20.02.2020 passed u/s. 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 by the opponent, in an appeal filed on 25.11.2021 i.e., not within prescribed period of limitation as such there is delay in filing the appeal.

According to the appellant-applicant, after the order dated 20.02.2020, they filed review application, it was rejected on 01.07.2021. Thereafter the original copy of order was misplaced by the opponent, therefore applied for certified copy of order on 21.09.2021., the certified copy of order was received on 24.09.2021 and then appeal was filed on 25.11.2021.

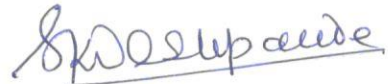


The Learned counsel for the applicant rightly pointed out that, during that period there was Covid-Pandemic, there were restrictions on moving, vaccination work was allotted to the office staff therefore the delay is not deliberate nor intentional.

After considering the period of Covid-Pandemic, as per the decision of Supreme Court in respect of limitation the applicant is certainly entitled for condonation of delay in filing the appeal. Not only this but, the delay seems to be negligible also, therefore the applicant is certainly entitled for condonation of delay in filing the appeal.

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

Date: 26-08-2024



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