

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

**APPEAL NO. CGIT- 2 / EPFA /60 /2022**

**Between:**

M/s. Bhima Sahakari Sakhar

Karkhana Ltd. Pune.

- Appellant

V/s.

The Regional Provident Fund Commissioner,

EPFO, Pune.

- Respondent

**ORDER**

**(Delivered on 19-08-2024)**

M/s. Bhima Sahakari Sakhar Karkhana Ltd./ appellant-applicant has challenged the legality of the order dated 31.01.2022 passed u/s. 14-B & 7-Q of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 by the opponent Authority and the appeal has been filed on 11.07.2022.

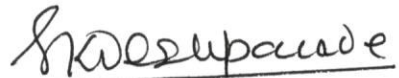
According to the applicant, he received the copy of order under appeal dated 31.01.2022 on 15.03.2022 however the Karkhana was closed, there was no staff, the appellant was facing various litigations and as he was not knowing further recourse therefore could not file appeal early. The delay in filing the appeal is not intentional nor deliberate and not prejudicial to the opponent.

*SAD*

Needless to say that, as per the Employees' Provident Funds and Miscellaneous Provisions Act 1952, the appeal has to be filed within the 60 days from the date of passing of order and further delay of 60 days can be condoned on sufficient ground. To my mind, considering the date of receipt of copy of order under appeal i.e., 15.03.2022 there is also delay of about 56 days, after earlier period of 60 days in filing appeal however delay of 56 days is certainly within the extended period of 60 days. If the delay is condoned it will not be prejudicial to the opponent as such the applicant is 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: 19-08-2024



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