

# ORDER SHEET

EMPLOYEES PROVIDENT FUND APPELLATE TRIBUNAL, JABALPUR (M.P.)

Date of Order of Proceeding	Order Or Proceeding with Signature of Presiding Officer	Remark
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Case No. EPF (Misc.)/03/2026


M/s. Perfect Industrial Service V/S RPFC Bhopal

06.05.2026	<p>Matter taken up.</p> <p>Applicant/Appellant Establishment has filed petition with affidavit for setting aside order dated 17.03.2026, passed by this Tribunal by which the EPF Appeal No.- 37/2024, filed by the Applicant was dismissed due to none presence of Applicant learned Counsel. The Respondent side has filed written objection with affidavit and to restore it for hearing.</p> <p>The grounds taken in the petition are mainly that, the appeal was filed before the Tribunal. The learned Counsel could not appear due to confusion in date. Hence, appeal was dismissed. Affidavit has been filed in support.</p> <p>The Respondent side has opposed the petition that it was the Applicant who had filed the appeal. He was required to prosecute his appeal in which he has failed. He absented himself since last four dates. Grounds of confusion regarding date taken is not sufficient and not established.</p> <p>I have heard arguments of Shri Rajesh Soni learned Counsel for the Applicant Establishment and Shri Rahul Chourasia, learned Counsel for the Respondent Authority. I have gone through the record.</p> <p>Perusal of the record of said EPF Appeal reveals</p>	
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	<p>that the Appellant Learned Counsel was not present in the appeal since last four dates. Ground taken is confusion with respect to date.</p> <p>Settled proposition of law is that disputes should be decided on merits so far as possible and any mistake on the part of counsel should not result into punishment of the party. Courts are not for punishing the parties for their faults, but to dispense justice between the parties, cost is the panacea that heals many of the wounds. Hence, the restoration petition, which is in time, may be allowed but on cost.</p> <p>Restoration petition is allowed subject to payment of cost Rs. 5000/- by the Applicant to Respondent Authority. Subject to compliance of the condition within 30 days, the appeal is stands restored. The Applicant shall file before this Tribunal a receipt of payment of cost. Thereafter, next date shall be fixed in the appeal. Petition stands disposed accordingly.</p> <p>Upload this order.</p> <p style="text-align: center;"> PRESIDING OFFICER</p>	