

# ORDER SHEET

DATE OF ORDER OF PROCEEDING	ORDER OR PROCEEDING WITH SIGNATURE OF PRESIDING OFFICER	REMARK
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CASE No. CGIT/LC/EPFA/Misc/05/2026  
M/s The Center of Entrepreneurship Development Vs RPFC, Bhopal

30.06.2026

Matter taken up.

This is an application filed by the appellant seeking recall/restoration of Appeal No. EPF/31/2023, which came to be dismissed for non-prosecution vide order dated **18.05.2026**.

Learned Counsel for the appellant has submitted that the appeal was filed challenging the order dated **17.11.2023** passed by the Provident Fund Authorities. It is contended that on the date fixed i.e. **18.05.2026**, none could appear on behalf of the appellant due to inadvertence, communication gap and change of the authorised representative after the retirement of the earlier representative. It is further submitted that the respondent thereafter issued a communication/order dated **25.05.2026** directing deposit of **Rs.13,90,206/-** under Section 14B of the EPF & MP Act, whereupon the appellant came to know about the dismissal of the appeal. Immediately thereafter, steps were taken to obtain the certified copy of the dismissal order and the present restoration application was filed without undue delay. An affidavit in support of the application has also been filed. Learned Counsel has prayed that the appeal be restored in the interest of justice.

Perused the application, affidavit and the record.

It is an admitted position that the appeal was dismissed for non-prosecution on **18.05.2026**. Though the record reveals that the appellant had remained absent on earlier occasions also, this Tribunal is of the considered opinion that ordinarily a litigant should not be denied an opportunity of having the matter decided on merits unless the conduct is grossly negligent or contumacious. At the same time, repeated non-appearance causes unnecessary delay and wastage of judicial time and cannot be ignored.

Accordingly, the present restoration application is **allowed**, subject to payment of **costs of Rs.10,000/- (Rupees Ten Thousand only)** by the appellant to the **respondent** within **four weeks** from today. Proof of payment shall be placed on record on or before the next date of hearing.

Upon deposit/payment of the aforesaid costs, **Appeal No. EPF/31/2023 shall stand restored to its original number** and shall be proceeded with in accordance with law. In the event of failure to deposit/pay the costs within the stipulated period, this order of restoration shall automatically stand recalled without any further reference to the Tribunal.

List the restored appeal on **10/08/2026** for further proceedings.