

**BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI-1; ROOM NO 208, ROUSE  
AVENUE DISTRICT COURT COMPLEX, NEW DELHI-110002.**

**APPEAL NO. D-1/36/2020**

M/s. Nice International Limited

Appellant

Through;- Sh. Amol Dalela, Ld. Counsel for the Appellant

Vs.

APFC Delhi (South)

Respondent

Through:- Sh. Puneet Garg, Ld. Counsel for the Respondent

**ORDER DATED 09.11.2020**

Today the matter was listed for reporting compliance of the direction to deposit Rs 70,000/- as a precondition for stay pending disposal of the appeal. The appellant has reported the compliance and the same has been confirmed by the Respondent that they have received the amount of Rs. 70,000/-. Accordingly, the stay granted earlier on the operation of the impugned order passed under section 14 B is continued till finalisation of the appeal.

The Appellant has also enclosed one application under section 151 of the CPC on behalf of the appellant for stay of recovery of interest amount assessed by the Respondent.

Carefully going through the aforementioned application filed u/s 151 of the CPC, the contention of the Appellant that the interest as determined under section 7Q of the Act, by the Respondent, have been calculated on the amount as assessed under section 14B is not correct as the interest is calculated on the amount of delayed remittances made by the establishments and not on the penal damages assessed under section 14B.

Further, the order passed u/s 7Q imposing penal interest is not appealable before this Tribunal under the provisions of sec 7 I of the Act. Hence, the application filed under section 151 of the CPC on behalf of the appellant for stay of recovery of interest amount assessed by the Respondent, being devoid of any merit is dismissed.

The respondent is directed to file the reply to the appeal within four weeks over email as well as the hard copy along with serving a copy to the Appellant. Thereafter, the Appellant is at liberty to file the rejoinder, if any over email along with serving a copy to the Respondent.

Now list the matter on 09.03.2021 for further proceedings.

Sd/-  
(Presiding officer)