

ORDER SHEET

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL/EMPLOYEES PROVIDENT
FUND APPELLATE TRIBUNAL, JABALPUR

| Date of Order of Proceeding | Order Or Proceeding with Signature of Presiding Officer | Remark |
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| Case No. EPFA/46/2024 M/s. Apna Namkeen & Sweet Bhandar V/S APFC Ujjain | | |
| 23.07.2024 | <p>Matter taken up.</p> <p>Learned Counsel Mr. Uttam Maheshwari present for Appellant Establishment. Mr. J.K. Pillai learned Counsel present for Respondent Authority.</p> <p>Heard both the sides on admission. The impugned order was passed on 21.12.2023 whereas the appeal has been filed on 15.05.2024, hence, apparently barred by limitation. Appellant Establishment has filed copy of order of Hon'ble High Court of M.P. Indore Bench, dated 06.05.2024 and 02.07.2024, passed in W.P. No.-12086/2024. The appeal is admitted for hearing condoning the delay in the light of these orders.</p> <p>Learned Counsel for Appellant Establishment further pressed his application U/S. 7-O of the Act for waiver of pre deposit and I.A. seeking stay on recovery. Respondent side has filed separate objections with affidavits today which are taken on record and copies served on Appellant Establishment.</p> <p>Heard both the sides on these two applications and have perused record in the light of the objections. After perusal of record in the light of arguments and objections, I am convinced that the Appellant Establishment has successfully made</p> | |

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| | <p>out a prima-facie case in its favour at least at this stage. It is also established that refusal of interim relief will result into irreparable injury to Appellant Establishment. Hence, application U/S. 7-O is allowed partially. The pre deposit is waived on the condition of depositing 40% of the amount under appeal by way of a bank draft in the name of Registrar CGIT, Delhi drawn at Jabalpur within 30 days from today. Subject to compliance of condition, recovery of any amount under appeal shall remain stage till disposal of appeal.</p> <p>Copy of memo of appeal served on Respondent. Counter within four weeks after giving copy to Appellant, who shall be at liberty to file rejoinder within two weeks thereafter.</p> <p>List on 06.11.2024 for final arguments.</p> <p style="text-align: right;">Presiding Office</p> | |