

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR
COURT, No. 1 DELHI

D-1/73/2024

M/s Sakha Consulting Wings Pvt. Ltd. vs. APFC/ RPFC, Delhi South.

Present: Sh. Sanjay Kumar, for the Appellant.
Proxy counsel Ms. Samridhi Singh, & Sh. Sunil Ranjan, A/R
for the Respondent.

Order Dated-24.04.2025

1. The A/R appearing for the respondent has filed the reply in response of the order issued on 23.04.2025. He has submitted that Sh. Roshan Lal has been transferred from EPFO Regional Office Delhi (South) to Regional Office Chandigarh vide EPFO head Office order no HRM-I/T-1(1)2025/Pt-I/613 dated 27.03.2025, hence, he is not in a position to appear. He submits that in the instant case, the Revenue Recovery Certificate dated 04.04.2025 was issued to the Recovery Officer as a routine process converting the current demand into arrear demand after completion of financial year endorsing a copy to the establishment **M/s Sakha Consulting Wing Pvt. Ltd.** for information only. There is no malafide intention on the part of the Recovery Officer.
2. Record perused. On 23.04.2025 this file was taken up on the application filed by the appellant counsel who has made prayer to stay the recovery proceeding initiated by the respondent department vide letter dated 04.04.2025 whereby he has been intimated about the Recovery Certificate. He submits that he had filed the appeal in time and this tribunal has stayed the impugned order. In spite of the stay order granted by this tribunal, respondent in total disregard has initiated the recovery proceedings.
3. Considering the above fact, this tribunal has summoned the Assessing Officer who had acted in disregard to the order passed by this tribunal. Instead of appearing and explaining the conduct, department has submitted that concerned officer was transferred from EPFO Regional Office Delhi (South) to Regional Office Chandigarh.



He has to explain his conduct how the recovery certificate had been issued despite of the stay order passed by this tribunal.

4. Contention of the department that at the end of the financial year, converting the current demand into arrear demand is a process set by the head office meaning thereby that all the appeal filed against the order passed during the year 2024, recovery certificate would have been issued. Therefore, respondent department is directed to produce all the record regarding the recovery certificates issued in this manner in respect of all the appeals filed in the year 2024. Department is also directed to produce all the record where the Recovery Certificate has been issued in March or April, 2025.
5. Further, Sh. Roshan Lal, Assessing Officer be summoned to explain his conduct on the next date of hearing 15.05.2025. Copy of this order is sent to Sh. Roshan Lal through Regional office Chandigarh as well as through Regional office Delhi South.


Atul Kumar Garg
(Presiding Officer)



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