

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR
COURT, No. 2 DELHI

D-2/03/2025

M/s Sandha & Company vs. APFC/RPFC, Gurugram West.

Present: Sh. Pradeep Shukla, Ld. Counsel, for the Appellant.
Sh. S.N. Mahanta, Ld. Counsel & Sh. Pradeep Batra, A/R for
the Respondent.

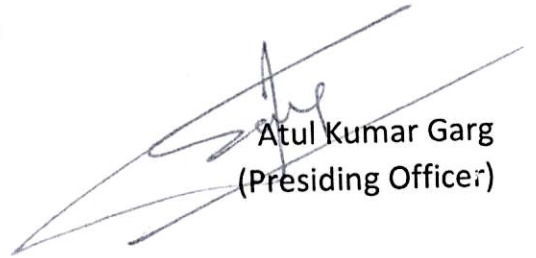
Order dated-27.03.2025

1. Ld. Counsel for the respondent has placed on record the reply in reference to office note dated 11.03.2025 bearing subject 'Production of records before Hon'ble Court in the above said appeal.
2. Appellant has preferred the appeal against the impugned order dated 17.01.2025 passed u/s **14B & 7Q of the EPF & MP Act, 1952**. He has assailed the said order stating that he was never been served with any notice nor he was given any opportunity to bring the facts before the Ld. Respondent. Respondent has imposed a hefty Amount of Rs.58,15,905/- vide order dated 17.01.2025 u/s 14B and 7Q respectively. It is further stated that has not been given the copy of the notice dated 31.07.2024.
3. Upon filing of this appeal and perusal of the record, respondent was directed to bring the record, whether the pronouncement of order has been reflected in the cause list of the date. Even the dispatch register has been called.
4. Instead of producing the required record, respondent has placed on record the email sent to the respondent for joining the enquiry however, no dispatch register has been placed on record by which the impugned order has been sent nor the department has shown any cause list of the date in which the order is to be pronounced. All the RPFCs have been given direction to show the matter in the cause list of the date, the order is to be pronounced. In respect of this reference is made to the earlier order passed by this tribunal dated 28.03.2024 in **Appeal no. D-2/04/2024 Titled as E- Meditech Insurance Ltd. Vs.**



RPFC Gurugram. In spite of this department again violated the above said order.

5. Considering the fact that the matter has been proceeded ex-parte and during whole of the enquiry as nobody appeared and participated in the enquiry, matter is remanded back for fresh adjudication. Order dated 17.01.2025 is set aside. Respondent department is directed to finalize the enquiry within three month from the date of receipt of the order. Appellant is also directed to appear before the respondent authority on 10.05.2025. A copy of this order is also sent to Ld. CPFC for taking appropriate action against the RPFC who has violated the direction of this tribunal. Action taken by CPFC be intimated to this tribunal within two months. In case of failure, this tribunal will take action against the officer suo moto.


Atul Kumar Garg
(Presiding Officer)



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Secy. to the Court
CGIT Cum Labour Court-II
Room No. 208, Second Floor,
Rouse Avenue District Court Complex
New Delhi-110002