

ORDERSHEET

CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT,  
JABALPUR (MP)

CASE NO. CGIT/LC/EPFA/54/2022

M/s Municipal Corporation Durg V/S RPFC, Raipur

Date of Order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
09.10.2024	<p>Matter taken up.</p> <p>Learned counsel for the Appellant Shri Aditya Ahiwasi is present. Learned Counsel for the Respondent Shri Abhishek Arjaria is present.</p> <p>The impugned order is dated 26.04.2022. The appeal was filed on 27.10.2022 and was dismissed on the ground of delay. The Appellant filed Writ Petition No. 27754/2022 in the Hon'ble High Court of Jabalpur. The Hon'ble High-Court passed an order on 05.12.2022, condoning the delay and directing the appeal to be decided on merits.</p> <p>Copy of IA dated 28.07.2024 for stay served on Respondent.</p> <p>Learned counsel for the Respondent authority has opposed the application of waiver and prayed regarding recovery for stay orally.</p> <p>After perusal of record in the light of rival arguments, the Appellant appears to have successfully established some arguable points in the appeal, hence he has successfully established his prima facie case at this stage, keeping in view the fact and circumstances of the case in hand, the balance of convenience is in favor of granting partial waiver under Section 7(0). Accordingly the amount under Section 7(0) is partially waived and the Appellant is directed to deposit only 40% of the amount under appeal in favor of <b>Registrar CGIT (Payable at Jabalpur)</b> within 30 days from today. Any amount paid against amount under appeal shall be adjusted.</p> <p>Recovery of amount under appeal shall remain stayed subject to fulfillment of the condition.</p> <p>Respondent to file Counter within 04 weeks from today, after serving a copy to the learned counsel of the Appellant. Rejoinder if any, within 02 weeks thereafter</p> <p>List the case for arguments on 24-01-25</p>	