

**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-1/34/2018

M/s Pro-Interactive Services Pvt. Ltd.

Appellant

Through:- Shri S.P.Arora & Shri Rajiv Arora, Ld. Counsel for the Appellant

Vs.

APFC, Delhi(South)

Respondent/ Applicant

Through:- Shri Rajesh Kumar, Ld. Counsel for the Respondent/ Applicant.

Order Dated 18.01.2021

This order deals with the petition dated 18.09.2020 filed by the learned counsel Shri Rajesh Kumar appearing for the respondent praying therein for fixation of a specific date for early hearing of the appeal, for the grounds stated therein. Copy the said petition was served on the counsel for the appellant and the same was heard being argued by both the parties.

The learned counsel for the appellant submitted that the tribunal while admitting the appeal has granted interim stay on the execution of the impugned order and for the restricted functioning of the Tribunal on account of the outbreak of COVID 19, the matter is lingering. The amount assessed by the commissioner is intended to be utilized for the benefit of the employees. For the delay in hearing and stay on the execution of the order the ultimate suffering is at the end of the employees, which in the long run has the effect of defeating the very purpose of the beneficial legislation i.e. the EPF & MP Act. He, thus, requested to fix a date for peremptory hearing of the matter.

The learned counsel for the appellant submitted that the LCR in the matter has been called for and the appellant need to inspect the same with leave of the tribunal. Moreover several documents are to be placed on record for reference during hearing, which may not be possible during virtual hearing of the appeal.

This Tribunal had earlier prepared and uploaded the SOP for functioning of the Tribunal until the prevailing restricted functioning assumes normalcy. As per the same no hearing can take place unless both the parties agree for the same. Hence considering the submission for both the parties and the procedure indicated in the SOP, it is directed that the hearing of the appeal shall be held on 23.02.2021 when both parties will get ready for the purpose and no further adjournment shall be allowed. The petition filed by the counsel for the respondent is accordingly disposed off.

Sd/-
(Presiding Officer)