

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, DELHI**

Item no. 02

D-2/04/2026

M/s. R.K. Solution vs. APFC/RPFC, Delhi East.

Present:

Sh. Prakash Kumar, Ld. Counsel for the appellant.

Sh. Manu Parasar, Ld. Counsel for the Respondent.

Order dated- 19.03.2026

The present appeal has been filed by the appellant assailing the order passed under section 7A of the **Employees' Provident Funds & Misc. Provisions Act, 1952 (hereinafter referred to as 'the Act')** and a show-cause notice for arrest dated 24.02.2026 issued by the respondent, i.e., APFC/RPFC, Delhi East. The registry has made a note about maintainability of the appeal regarding the fact that the impugned order has been passed by APFC/RPFC, Delhi East, which does not fall within the jurisdiction of this Tribunal.

The Ld. Counsel for the appellant has relied upon rule 6 of the **Tribunal (Procedure) Rules, 1997**, which pertains to the place of filing an appeal. Rule 6A and explanation thereof are required to be reproduced herein:

[6. Place of filing appeals.- The appeal shall be ordinarily be filed by the appellant with the Registrar of the Tribunal within whose jurisdiction the cause of action has arisen.]

1. Subs. By G.S.R. 24(E), dated 14th January, 2016, for rule 6 (w.e.f. 14-01-2016), Rule 6, before substitution, stood as under:

6. Place of filing appeals.—The appeal shall ordinarily be filed by the appellant with the Registrar of the Tribunal within whose jurisdiction:-- (i) the appellant is residing for the time being, or (ii) the cause of action has arisen, or (iii) the respondent or any of the respondents against whom relief sought, ordinarily resides.

According to the Ld. Counsel for the appellant, the appellant is currently residing at vill- Sahibabad, PO.- CEL Jhandapur, Ghaziabad-201010, and a recovery warrant had also been issued at the address of Ghaziabad. It is

therefore submitted that as this Tribunal has the jurisdiction over the district Ghaziabad, this appeal is maintainable before this Tribunal.

It is also important to mention here that a mail had been received to this Tribunal, sent by the Ld. Counsel for the respondent, Sh. Manu Parasar, where certain allegations were made against the registry as well as about conduct and functioning of this Tribunal. The heading of the email was “Bench Hunting by Appellant in D-2/04/2026; M/s. R.K.Solution vs. APFC East”. He stated in bold font at the back-page of the email that *“the Present state of affairs of the Tribunal as well as registry is also a fit case to be brought to the notice of Hon’ble Delhi High Court Through Registrar General for proper action by the Hon’ble Chief Justice of Delhi High Court as well to the cadre controlling Ministry of Labour and Employment.”*

It amounts to an attempt to threaten and scandalize this Tribunal, otherwise he could have put his plea before this Tribunal during the course of proceedings on the very first date of hearing, i.e., today.

At this stage, the Ld. Counsel for the respondent, Sh. Manu Parasar, submits that he wants to withdraw the said communication and allegations made against the Ld. Counsel for the appellant, the registry and this Tribunal.

In view of the above submission, this Tribunal deems it fit to close the issue.

In the meanwhile, the Ld. Counsel for the appellant is asked to withdraw the present appeal and file it before CGIT-1, because the appellant’s establishment is registered in Delhi, which falls under the jurisdiction of CGIT-1. Merely because the order was received, or the case was registered against the appellant outside Delhi (East), doesn’t create the jurisdiction of this Tribunal. The Ld. Counsel for the appellant has agreed to withdraw the appeal.

In view of the submission of the Ld. Counsel of the appellant, the appeal stands dismissed as withdrawn. He is at liberty to file the same before CGIT-1, New Delhi.

Atul Kumar Garg
(Presiding Officer)