



सत्यमेव जयते

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM**

Present: Shri.V.Vijaya Kumar, B.Sc., LL.M., Presiding Officer.

(Tuesday the 08<sup>th</sup> day of December, 2020)

**Appeal No.534/2019**

(Old No. 338(7)09)

Appellant

M/s. Athani Tourist Home  
Athani-683 585

By Adv. Dinesh R Shenoy

Respondent

The Assistant PF Commissioner  
EPFO, Sub Regional Office  
Kaloor  
Kochi – 682017

By Adv. Thomas Mathew Nellimmottil

This case coming up for admission on 08.12.2020 and the same day this Tribunal-cum-Labour Court passed the following:

**ORDER**

Present appeal is from KR/KC/19672/Enf I (2)/2008/16059 dt.18/03/2009 issued U/s 7A of EPF and MP Act, 1952 (hereinafter referred to as 'the Act') confirming the coverage of the appellant establishment under the Act as on 03/2002 and assessing dues from 03/2002 to 01/2009. Total dues assessed is Rs.4,75,599/-.

2. The appeal was filed before the EPF Appellate Tribunal New Delhi, as ATA No. 338 (7) 2009. The appeal was admitted by the EPF Appellate Tribunal on the condition that appellant shall remit 40 % of the assessed dues within 2 months U/s 7(O) of the Act. The operation of the impugned order was also stayed. After the transfer of files to this Tribunal, notice was issued to appellant which was acknowledged by the appellant. There was no representation for the appellant. It is seen that the appellant has not deposited 40% of the dues U/s 7(O) as directed by EPF Appellate Tribunal or filed any memo to that effect. The respondent entered appearance and also filed counter affidavit. However the learned Counsel for the respondent also could not confirm the deposit of the amount as directed by EPF Appellate Tribunal.

The appeal is dismissed as there is no confirmation regarding the deposit of 40 % of the assessed dues U/s 7(O) of the Act, as directed by the EPF Appellate Tribunal, New Delhi.

Sd/-

(V.Vijaya Kumar)  
Presiding Officer