

**BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DELHI; ROOM NO 208, ROUSE  
AVENUE DISTRICT COURT COMPLEX, NEW DELHI-110002.**

**APPEAL NO.D-1/22/2021**

M/s. Cyber Media (India) Ltd.

Appellant

Through : Shri Haribansh Manav, ld. Counsel for the Appellant.

Vs.

APFC, Delhi South

Respondent

Through:- Shri B. B. Pradhan, Ld. Counsel for the Respondent.

**ORDER DATED 30.07.2021**

The matter was listed today for hearing on admission of appeal and stay of the impugned order as prayed by the Appellant.

Heard the Ld. Counsels for the Appellant and the Respondent. The Ld. Counsel for the Appellant argued on merit of the appeal and insisted for the stay on the execution of the orders and pointed out that the appeals have been filed in time.

The Ld. Counsel for the Resp. pointed out that the appellant has filed the appeal challenging two separate orders though passed on the same date i.e. 26.02.2021 which cannot be entertained in one appeal.

Perusal of the appeal memo and orders impugned, it is found that two separate proceedings were conducted for two distinct and separate time period by the APFC and two separate orders passed but on the same date.

The provision of law laid under section 7I of the EPF & MP Act, 1952 provides that any person aggrieved by an order passed by the authority can file the appeal to this Tribunal against that order. Further, Rule 10 of the Tribunal Rule, 1997 provide that an appeal shall be based on single cause of action and may seek one or more reliefs. By necessary implication the present appeal challenging two separate orders is not maintainable.

The Ld. Counsel for the Appellant at the bar submitted that he withdraw the appeal and prayed for the leave of the Tribunal to file the same afresh.

The Prayer is allowed. The Appellant is allowed to withdraw the appeal with the liberty of filing the same within 15 days afresh. The time period consumed since the date of filing and till it is filed again as directed above, shall be excluded from the period of limitation provided under the rules.

Presiding Officer