

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, ROUSE
AVENUE, DISTRICT COURT COMPLEX, DELHI.**

Present:

Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

ATA No. D-1/26/2020

M/s. Empowered Mass Media Pvt. Ltd.

Appellant

VS.

APFC, Delhi (North)

Respondent

ORDER DATED:-25/11/2021

Present:- Shri Abhimanyu Sharma, Ld. Counsel for the Appellant.
Shri S.N Mahanta, Ld. Counsel for the Respondent.

The record has been put up today pursuant to the direction given by the Hon'ble High Court Delhi in WPC No. 11279 of 2021. In the said order the Hon'ble High Court have directed in the following manner:-

Para 8**

- (i) out of the total amount of Rs. 1041718/- as directed to be paid by the petitioner to the respondent/EPFO vide order dated 3rd December 2018 3cheques are stated to have already been issued by the petitioner constituting a total sum of Rs. 3,39,109/- subject to the above three cheques having been encashed by the EPFO, a further sum of Rs. 3,00,000/- shall be deposited by the petitioner with EPFO within 4 weeks.
- (ii) If any of the above mentioned three cheques are not encashed then in addition to the cheques which may have been encashed a further sum of Rs. 400,000/- would be liable to be deposited by the petitioner with the EPFO.

Para9**

Subject to the above terms and conditions the warrant of arrest issued against the petitioner shall remain stayed and the

delay in filing the appeal against order dated 3rd December 2018 shall stand condoned. Accordingly the appeal before CGIT is directed to be restored for hearing on merit. List before CGIT on 25th November 2021.

As directed both the parties appeared. Whereas the appellant submitted that the respondent has to verify about the encashment of the cheque, the Ld. Counsel for the respondent strenuously argued that the verification is required to decide whether the appellant is required to deposit Rs. 300,000/- or Rs. 4,00,000/- in compliance to the direction given by the Hon'ble High Court. He insisted that Rs. 300000/- should have been deposited by the appellant within 4 weeks.

Infact the 4 weeks time period granted by the Hon'ble High Court has already expired. But on a plain reading of the order it is understood that the respondent has to verify about the encashment of the cheque before any amount is deposited by the respondent. Ld. Counsel for both the parties made statement at bar that the 3 earlier cheques deposited by the appellant have been encashed. In view of the situation the appellant is to deposit Rs. 300000/- within 4 weeks from the date of verification which starts today. Call the matter on 24th December 2021 for the appellant to report compliance about the deposit of Rs. 300,000/- and further orders.

Presiding Officer