

**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:-25/04/2022

Present:- None for the Appellant.

Shri S.N Mahanta, Ld. Counsel for the Respondent.

The matter stands posted today for reporting compliance of the order dated 25.11.2021 passed by this tribunal. None appeared on behalf of the appellant on repeated call. The Ld. Counsel for the respondent Mr. S.N Mahanta insisted that appeal is liable to be dismissed for none compliance of the order and direction given by the Hon'ble High Court of Delhi in the order dated 05.10.2021 passed in WPC No. 11279 of 2021.

Perusal of the record shows that the order under challenge was passed on 03.12.2018 and the appeal was filed on 13.03.2020. Thus, this tribunal by order dated 20.08.2020 found the appeal barred by limitation and dismissed the same without admission. That order was challenged by the appellant before the Hon'ble High Court in the aforementioned writ. The Hon'ble High Court considering the submission of the appellant that by three separate cheques the appellant has already paid Rs. 339109/-, directed it shall deposit a further amount of Rs. 300000/- before this tribunal as a pre condition for condonation of delay and admission of the appeal. After communication of the said order the appellant and the respondent appeared before this tribunal on 25.11.2021 and on the request of the appellant matter was adjourned to 24th December 2021 for verification of the status of the deposit through the cheques by the appellant. The respondent agreed for the verification and the matter was adjourned accordingly. On 12.01.2022 the respondent informed about deposit of Rs. 339109/- by the appellant through the cheque. On that day the appellant again asked for some time for compliance of the direction given by the Hon'ble High Court. Today when the matter was called neither the appellant appeared nor the compliance has been reported. Considering the circumstances and negligence for the compliance of the direction of the High Court the delay in filing the appeal is not condoned and again the appeal is dismissed as barred by limitation.

Presiding Officer