

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

Diary no. 10/07-07-2025

M/s Home and Facility Management vs. APFC, Noida.

Present: Sh. Kumar Vikram, for the appellant.
Sh. B.B. Pradhan, Ld. Counsel for the Respondent.

Order Dated-15.07.2025

Ld. Counsel for the appellant pressed his appeal which has been filed on 07.07.2025 against the revised notice dated 28.03.2025.

Record perused. Office of this tribunal has made objection that no order **u/s 14B of the EPF & MP Act, 1952** has been passed and the appeal is premature.

In this respect appeal u/s 7-I of the Act is required to be reproduced herein:-

7-I. Appeals to Tribunal.—(1) Any person aggrieved by a notification issued by the Central Government, or an order passed by the Central Government or any authority, under the proviso to sub-section (3), or sub-section (4), of section 1, or section 3, or sub-section (1) of section 7A, or section 7B

[except an order rejecting an application for review referred to in sub-section (5) thereof], or section 7C, or section 14B, may prefer an appeal to a Tribunal against such notification or order.

(2) Every appeal under sub-section (1) shall be filed in such form and manner, within such time and be accompanied by such fees, as may be prescribed.

From perusal of the above section, it appears that an appeal can be filed against the order passed by the authority under any of the sections mentioned above. Since, admittedly no order has been passed u/s 14B and the matter is still pending for adjudication with the RFPC, appeal being premature, stands dismissed.

It is also important to mention here that without giving formal notice, respondent counsel has appeared and brought the trial court record. In the proceeding conducted before the RPFC on 18.03.2025, nothing has been mentioned about dispatching the revised notice to the establishment and appearance of establishment. Though revise notice has been issued but no proceeding is carried out till today

The explanation that the concerned officer Sh. Rajan Chhabra, has been transferred to Meerut is no excuse for not allocating the pending enquiry to any other officer. Even after receiving the advance copy of this appeal, department has not woken up. In these circumstances, department is directed to give specific date to the appellant to present his case in response to the revised notice and then pass the appropriate order. A copy of this order is sent to department for compliance.

Sd/-

Atul Kumar Garg
(Presiding Officer)