

CGIT-1/EPFA/10 OF 2019

17/12/2019

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1,
MUMBAI

Navi Mumbai Municipal Corporation ... Appellant

Vs

Asstt.Provident Fund Commissioner ... Respondent

Presence:

For the Appellant : Mr.B.K.Ashok, Adv.

For the Respondent : Smita Thakur, Adv. i/b

Suresh Kumar, Adv.

ORDER

1.. The present appeal is filed by the appellant under section 7(i) of the EPF & MP Act, 1952 (hereinafter referred to as 'Act') against the order dated 26.02.2019 passed by the Assistant Provident Fund Commissioner, the Respondent under section 7 A of the Act.

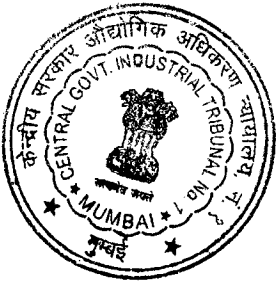
2. Alongwith appeal the appellant has filed application for condoning the delay on the ground that they had personally approached the respondent so as to resolve the issue within the frame work of law. Thereafter the matter was taken up before the higher authority and approval for filing an appeal was taken which took considerable time.



3. In view of submissions, it can be seen that the appeal is filed within 120 days from the date of receiving copy of order and delay is not intentional. As such the delay can be condoned. Hence the delay is condoned. The Establishment has paid 13,54,317.00 and the receipt is annexed in the appeal. As 75% of the amount is already paid, the condition of pre-deposit is waived.

4. In view of the above, I pass the following order.

- (i) Delay in filing the appeal is condoned.
- (ii) Appeal is admitted.
- (iii) Condition of pre-deposit is waived.
- (iv) The impugned order is stayed and the respondent is directed not to take any coercive steps till further orders.



Sd/-
(JUSTICE RAVINDRA NATH KAKKAR)

PRESIDING OFFICER

सही प्रतिलिपि
TRUE COPY

[Signature]
Secretary to the Court
Central Government Industrial
Tribunal-cum-Labour Court No. I
Mumbai