

**Misc. Application under Section 7 O of EPF & MP Act, 1952 in (in Appeal No. D-1/06/2023)**

M/s. Triumph Motors

Appellant

Vs.

APFC/ RPFC, Delhi (North)

Respondent

Order: - 01.10.2024

Through Counsels: -

1. Sh. Sunil Kumar Jha, for the Appellant
2. Sh. Narender Kumar, for the Respondent

Petition of the appellant moved under section 7 O of the EPF & MP Act, 1952 is pending for disposal. Ld. Counsel for the appellant requested for the immediate disposal. It is informed by ld. Counsel for the appellant that 100% of the impugned amount has already been recovered. Ld. Counsel for the respondent is not at difference on this point.

This is also important to keep notice of the recovery by EPFO authorities, if done after the admission of the appeal condoning delay in filing the appeal. Ld. Counsel for the appellant is not clear about the date of recovery, total amount of the assessment done under section 7 A impugned in the present appeal. Moreover, if any order at this stage is passed exercising the discretion for complete or partial waiver of the pre-requisite deposit under statute i.e. 75% to the maximum then why the entire appeal be heard and decided because that would be better then to undone the proceedings of recovery, if made and to hear the appeal on admission.

Accordingly, the present appeal stands admitted for hearing. Ld. counsel for respondent is directed to file the reply to this appeal positively within three weeks from the date of this order along with supplying a copy of the reply to ld. counsel for appellant. The appellant may file rejoinder, if any, within a period of further two three weeks thereafter. It is made clear that no further time shall be given to either of the parties for completion of pleadings after this period and registry is directed to place the case for final arguments on the next date of hearing. List the matter on 11.11.2024 for final arguments.

Sd/-

(Presiding Officer)