

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM  
LABOUR COURT, No. 2 DELHI;**

**Appeal No. D-2/22/2025**

M/s. D.S. Enterprises . .... Appellant

Through:- Sh. S.K. Khanna, ld. counsel for the appellant

Vs.

APFC/RPFC, Gurugram Central .... Respondent

Through:- Sh. Narender Kumar, ld. counsel & Sh. Manjeet Jakhar,  
A/R for the respondent

**Order Dated:-10.08.2026**

Counsel for the appellant has pressed his application filed for granting stay stating that the impugned orders are passed for levying damages and interest for delayed period of remittances made during the period for 2016 to 2019 which is beyond the period of three years from the date of issuance of the notice. Counsel for the respondent has opposed the prayer stating that notice has been issued in 2023 for belated payments of the dues.

I have heard the arguments. Record brought by the respondent shows that the damages and interest for delayed payment up to 30.11.2016 has already been levied vide notice dated 09.12.2016. Thereafter wrong notice was issued on 30.10.2023 demanding the damages and interest for the period 20.04.2022 to 18.10.2023 but it was subsequently amended showing the period 2016 to 2023. However, the Annexure A annexed with the notice shows the payment of delayed remittances between the period of 2016 to 2019 only. Last payment was made by the appellant in the year 2019. Therefore, the issuance of the notice for the period 2016 to 2023 is itself contradictory to the facts mentioned in the Annexure A.

It is not the first time this thing has occurred. In fact, it is a repeated mistake committed by the respondent by issuing a second revised notice.

Considering the fact that this tribunal has already taken a stand that issuance of notice showing belated payments beyond three years is not permissible, therefore, the notice as well as the

period mentioned in the order shows that it has been made only in order to escape.

In these circumstances cited above, the order passed by the respondent authority is stayed till finalization of this order.

Ld. Counsel for the respondent has filed the reply to this appeal today. Counsel for the appellant does not want to file rejoinder. List the matter in the category of final arguments on 25.08.2026.

(Atul Kumar Garg)

Presiding Officer

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM LABOUR COURT, No. 2 DELHI;**

**Appeal No. D-2/07/2026**

M/s.V.K. Electricals

..... Appellant

Through:- None for the appellant

Vs.

APFC/RPFC, Meerut

.... Respondent

Through:- Sh. B. B. Pradhan, ld. counsel for the respondent

**Order Dated:-10.08.2026**

Case called up several times. None is present for the appellant. Ld. Counsel for the respondent is present throughout the calls. Perusal of the record shows that none was present on behalf of the appellant on the last date of hearing also and office was directed to inform the appellant about today's date. Office has placed the email showing that the appellant was informed about today's hearing.

In these circumstances, the present appeal is dismissed in default due to non-prosecution on behalf of the appellant. Record be consigned to the record room. Respondent authority is free to execute the order as per rules.

(Atul Kumar Garg)

Presiding Officer

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM LABOUR COURT, No. 2 DELHI;**

**Appeal No. D-2/11/2026**

M/s. Shree Mata Sheetla Devi Shrine Board ..... Appellant

Through:- Sh. Rajiv Arora, ld. counsel for the appellant

Vs.

APFC/RPFC, Gurugram Central ..... Respondent

Through:- Sh. Sandeep Mishra, ld. counsel & Sh. Manjeet Jakhar, A/R for the respondent

**Order Dated:-10.08.2026**

Counsel for the respondent seeks one week's time to file the reply of the appeal as well as of the application filed for seeking stay. He has submitted that he was not aware of today's date, however, when he had gone through today's cause list and found the matter in the list, he had appeared. He further submits that he was under the impression that the matter was listed for 07.08.2026.

Record perused. Tough, on the front page of the appeal file, the date is written as 07.08.2026 but neither the respondent counsel cared to file the reply on 07.08.2026, though he was given ample time to do so nor he is filing it today. This matter was first listed on 24.04.2026. appearance of ld. Counsel for the respondent has been marked in the order sheet of that date. Subsequent on 13.07.2026, his presence was marked and he was given ten days' time for filing the reply. Neither the reply has been filed in ten days nor it has been still today.

It is also a matter of fact the ld. Counsel for appellant has filed an application under Rule 12(5) read with Rule 21 of the Tribunal (Procedure) Rules, 1997 for forfeiting the right of respondent to file reply in the present appeal. According to him, reply is to be filed within thirty days from issuance of the

notice, however, in the present case more than three months have been passed and no reply has yet been filed.

This application will be considered on the next date of hearing, in the meanwhile, respondent is directed to file the reply of the stay application as well as of the appeal within a week subject to supply of advance copy to ld. Counsel for the appellant. In case the application filed today on behalf of the appellant is decided in his favour, the reply, if any filed by the respondent will be struck off. Put up on 25.08.2026. In the meanwhile, interim orders to continue. A copy of this order be sent to both the parties through email.

(Atul Kumar Garg)

Presiding Officer

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM  
LABOUR COURT No. 2/EPFAT, DELHI**

**D-2/31/2021**

**M/s A2Z Infra Services Ltd.** .... Appellant  
Through:- None counsel for the appellant.

Vs.

APFC/RPFC, Gurugram East .... Respondent

Through:- Sh. S.N. Mahanta, ld. counsel for the respondent.

**Order dated-10.08.2026**

Ld. Counsel for the respondent submits that for the last two dates the matter was adjourned because of the absence of arguing counsel of the appellant. Therefore, either the stay granted in favour of the appellant be vacated or appeal be dismissed due to non-prosecution.

Record perused. On 02.02.2022, this tribunal had passed a conditional stay order directing the appellant to deposit five percent of the amount assessed in the impugned orders passed under section 14B and 7Q of the Act. Since then arguments have been heard in part twice.

In these circumstances, appellant is granted a last opportunity to conclude the arguments on the next date of hearing otherwise this tribunal will decide the case on basis of the record and hearing the arguments of respondent. Put up on 24.08.2026. A copy of this order be sent to ld. Counsel for the appellant through email.

Atul Kumar Garg  
(Presiding Officer)