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W.M.P. No. 16925 of 2022

**W.M.P. No. 16925 of 2022
in
W.P. No. 14 of 2017**

P.D. AUDIKESAVALU, J.

The Petitioner has filed this Miscellaneous Petition after the disposal of the Writ Petition on 18.03.2022 stating that the Presiding Officer, Central Government Industrial Tribunal cum Labour Court functioning at First Floor, 26 Haddows Road, Shastri Bhavan, Nungambakkam, Chennai – 600006 has been notified as Appellate Authority under Section 7-I of the Employees' Provident Funds and Miscellaneous Act, 1952, for the matters arising in the State of Tamil Nadu and that the records of the impugned proceedings would have to be transmitted from the First Respondent to that Appellate Authority for further action in the matter. That apart, the Central Government Industrial Tribunal, Bangalore has sent an e-mail dated 29.07.2022 to the Registrar General of this Court confirming the said position.

2. In such circumstances, para 5 of the order passed on 18.03.2022 in W.P. No. 14 of 2017 by the Court shall be substituted as follows:-

“5. In that view of the matter, the impugned order dated 08.12.2016 in Appeal No. A/TN-113/2016 passed by the First



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Respondent is set aside and the matter is remitted back for fresh consideration so as to ascertain the date on which the copy of the order against which the Appeal No. A/TN-113/2016 had been preferred before the First Respondent was delivered to the Petitioner and depending upon its outcome, determine as to whether such appeal has been filed within a maximum period of limitation and proceed further in the matter. As it is now informed that the Presiding Officer, Central Government Industrial Tribunal cum Labour Court functioning at First Floor, 26, Haddows Road, Shastri Bhavan, Nungambakkam, Chennai – 600 006 has been notified as the Appellate Authority under Section 7-I of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 for matters arising in the State of Tamil Nadu, the First Respondent shall transmit the entire records relating to Appeal No. A/TN-113/2016 on its file to that Appellate Authority, who shall list it for next hearing on 15.09.2022 and the parties or their respective Counsel shall appear on the said date. If that Appellate Authority is not in a position to take up the matter then, it shall be informed to all the



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parties concerned of the next date of hearing to which it is adjourned in the prescribed manner. It is made clear while deciding the matter, the Appellate Authority shall not be inhibited or influenced by the impugned order, which has been set aside.”

Registry is directed to issue corrected copy of the order to the concerned parties without collecting any extra charges for the same.

29.07.2022

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Note: Issue order copy by 23.08.2022.



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