

CWP-20154-2015

Date of Decision: 08.12.2022

M/s Vitalife Laboratories, Gurgaon

..... Petitioner

Versus

The Presiding Officer, Employees Provident Fund Appellate Tribunal and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent : Mr. Jatinder Nagpal, Advocate,
for the petitioner.Mr. Sandeep Goyal, Advocate,
for respondent No.2.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari for quashing the impugned order dated 03.08.2015 (Annexure P-7) passed by respondent No.1, vide which the appeal has been dismissed on technical ground; along with certain other prayers.

It is not even in dispute that the appeal which resulted in passing of the order impugned in the present petition was filed after the maximum period upto which the Appellate Authority could have entertained the appeal and the statute does not even give any power to condone the delay by the Appellate Authority. Therefore, this Court does not find any illegality or perversity in the order passed by the Appellate Authority. Moreover, since the statute prescribed the maximum period for filing of the appeal without making any provision for condonation of delay, therefore, it would not be appropriate even for this Court to interfere so as to condone the delay in violation of the mandate of the statute.

Finding no merits in the present petition, the same is dismissed.

(RAJBIR SEHRAWAT)
JUDGE**08.12.2022**
adhikariWhether speaking/reasoned
Whether ReportableYes/No
Yes/No