



CMP(MD).No.7779 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.04.2024

CORAM:

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MR. JUSTICE P.DHANABAL**

**CMP No.7779 of 2024
in
W.A.SR.No.138136 of 2023**

The Regional Provident Fund Commissioner-II(C&R)
Employees' Provident Fund Organisation
Regional Office,
No.37, Royapettah High Road
Chennai 600 014.

... Petitioner/Appellant

.Vs.

1.The Management of
Trident Facility Services Private Limited,
NO.5, 1st Floor, 4th Street,
Dr.Subburayan Nagar,
Kodambakkam, Chennai 600 024
Rep.by its Director, Umesh Fernando.

2.The Presiding Officer

Employees Provident Fund Appellate Tribunal
New Delhi.

..Respondent



CMP(MD).No.7779 of 2024

PRAYER in CMP No.7779 of 2024 :- Petitions filed to condone the delay of 229 days in filing the appeal in WA.SR.No.138136/2023.

Prayer in W.A.SR.No.138136 of 2023:-Writ Appeal filed to set aside the order of the learned Judge passed in W.P.No.6966 of 2014 dated 02.01.2023.

For Petitioner : Mr.R.Vishnu
For R1 : Mr.S.Ranjith Kumar

ORDER

(Judgment of the Court was made by J. NISHA BANU, J.)

The above CMP has been filed to condone the delay of 229 days in filing the Writ Appeal.

2. Writ Appeal SR has been filed to set aside the order dated 02.01.2023 made in WP.No.6966 of 2014 by this Court.

3. There is undoubtedly an inordinate delay in the filing of the Writ Appeal. There is a delay of more than 7 months in preferring the appeal. The petitioner/appellant has failed to show sufficient cause to condone



CMP(MD).No.7779 of 2024

the enormous delay of 229 days in filing the Writ Appeal. On an overall view of the grounds taken in the Civil Miscellaneous Petition and submissions made by learned counsel for appellant, would make it clear that there is no error apparent on the face of the record warranting review of order dated 02.01.2023 made in WP.No.6966 of 2014. In such circumstances, application for condonation of delay is wholly misplaced and so We do not find any merit in the application for condonation of delay and as such, the same is dismissed. Consequently, Writ Appeal SR is rejected. No costs.

(J.N.B,J.) (P.D.B., J.)

05.04.2024

Index: Yes / No

sk



WEB COPY



CMP(MD).No.7779 of 2024

J. NISHA BANU, J.
and
P.DHANABAL,J.

sk

To

1.Director, Umesh Fernando,
The Management of
Trident Facility Services Private Limited,
NO.5, 1st Floor, 4th Street,
Dr.Subburayan Nagar,
Kodambakkam, Chennai 600 024.

2.The Presiding Officer

Employees Provident Fund Appellate Tribunal
New Delhi.

CMP(MD) No.7779 of 2024
in
W.A.SR.No.138136 of 2023

05.04.2024