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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 31/2026 and CM APPL.46/2026**
PREHARI CYBER SECURITY AND FACILITIES PVT. LTD.

.....Petitioner

Through: Mr. S.K. Gupta, Mr. Vinay Kumar
Bhasin, Ms. Mansi Asthana, Advs.

versus

REGIONAL PROVIDENT FUND COMMISSIONER.....Respondent
Through: Mr. Braja Bandhu Pradhan, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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08.01.2026

1. The present petition has been filed by the petitioner assailing an order dated 18.09.2025 passed by the Central Government Industrial Tribunal (CGIT)- cum- Labour Court, Delhi, in Appeal No. D-1/26/2025.
2. The impugned order directs the petitioner to deposit an amount of Rs. 10,90,507/- in the form of a Fixed Deposit Receipt (FDR) as a condition for grant of interim relief. The operative direction in the impugned order dated 18.09.2025 reads as under:-

10. With this the prayer of the appellant to grant stay is allowed to such an extent that there is a stay on recovery subject to deposit of Rs.10,90,507/- by way of FDR favoring 'Registrar CGIT' initially for a period of one year having auto renewal mode, within four weeks from today. It is made clear that if the appellant fails to comply with the condition laid down by this tribunal within the stipulated time frame, the stay shall not be in operation and the respondent shall have the liberty to execute the order as per rules. Put up for reporting compliance by appellant as well as filing of reply to the appeal by Id. Counsel for the respondent on 20.11.2025. In the meanwhile, interim orders to continue till next date of hearing.

3. During the course of hearing, it transpires that the said interim order has been vacated on 17.12.2025. A copy of the order dated 17.12.2025 passed by the Central Government Industrial Tribunal (CGIT)- cum- Labour



Court, Delhi, has been handed over during the course of hearing. The same reads as under:-

Item no. 02

D-1/26/2025

M/s. Prehari Cyber Security and Facilities Pvt. Ltd. vs. APFC, Delhi East

Present:

Sh. Rajkumar, proxy counsel for the appellant.

Sh. B.B. Pradhan, Ld. Counsel along with Sh. A.S. Negi,
Authorized Representative for the Respondent.

Order dated- 17.12.2025

Ld. counsel for the respondent has filed a reply to the appeal, a copy of which has been supplied to the proxy counsel for the appellant.

The record further reveals that this Tribunal, vide order dated 18.09.2025, had granted an interim stay in favour of the appellant, subject to the condition of deposit of Rs. 10,90,507/- by way of FDR in favour of the Registrar, CGIT. However, the appellant has failed to comply with the said condition till date.

The proxy counsel appearing on behalf of the appellant submits that a writ petition has been preferred against the order dated 18.09.2025 passed by this Tribunal, whereby the conditional stay was granted. However, no diary number or writ petition number has been furnished in support of the said submission.

In these circumstances, it is presumed that the appellant has no intention to comply with the order dated 18.09.2025. Consequently, the interim stay granted in favour of the appellant stands vacated. The respondent is at liberty to execute the impugned order in accordance with law.

Put up for filing of rejoinder, if any, on 21.01.2026. A copy of this order be sent to both parties via e-mail.

Atul Kumar Garg
(Presiding Officer)

4. Subsequently, the entire amount held to be payable under Sections 14B and 7Q of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 has been recovered from the petitioner. As such, there is no occasion for this Court to grant an interim order at this stage.



However, liberty is granted to the petitioner to pursue its pending appeal before the CGIT-cum-Labour Court and *inter alia* as regards the legality of the amount sought to be recovered from the petitioner under Sections 14B and 7Q of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

5. The petitioner also seeks liberty to file an appropriate application, seeking refund of the amount realised by the respondent. Needless to say, the petitioner shall be at liberty to move such an application for release of the amount; the same shall be duly considered, strictly in accordance with law. It is made clear that this Court has not expressed any opinion as regards the merits of any such application.

6. The petition is disposed of in the above terms. Pending application also stands disposed of.

SACHIN DATTA, J

JANUARY 8, 2026/uk