

36 MACT 58/21
PARWATI @ PARWATI DEVI Vs. VISHANT

22.03.2025

Present : Sh. Deepak Kumar, proxy counsel for petitioner.
Sh. Pankaj Tiwari, Ld. Counsel for R-1 and R-2 with them in person.

Matter is fixed for orders on the pending applications.
Applications are disposed off as allowed vide separate order subject to cost.

Put up for PE on **11.07.2025**.

(Mayuri Singh)
PO MACT (East)/KKD
Delhi/22.03.2025

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ORDER

1. Application is moved on behalf of the petitioner seeking recalling of order date 11.03.2024 and further another application is moved for filing additional documents. It is submitted that PE was closed on 11.03.2024. Petitioner had prepared an application for filing of additional document as is evident from the date of attestation of the affidavit filed alongwith the application. However, it was misplaced and traced out only on 16.05.2024. The delay in supplying of additional document was not intentional and petitioner shall suffer irreparable loss, if present application is not allowed. In the other application, it is stated that some material documents could not be filed earlier, which are essential for just disposal. Alongwith this application, petitioner has attached copy of death certificate and aadhar card of petitioners.

2. Heard and record perused.

3. There is no cogent ground given in the application to reflect why the documents sought to be filed on record at this stage of RE / final arguments could not be filed earlier and further why despite repeated and fair opportunities, evidence could not be led by petitioner till 11.03.2024. However, keeping in mind that the documents sought to be filed are formal and also considering the object of the legislation being beneficial, the applications are allowed to the extent that petitioner is given one opportunity to lead evidence by way of last opportunity and produce and rely on the documents, copy of which have been filed on record positively on the next date, subject to cost of Rs.2000/- to be deposited

with DLSA (East). It is noted that interest component has been stopped by order dated 11.03.2024 itself and it is further made clear that in case of award, the interest component shall not be included from the date of framing of issues till completion of PE /further orders. It is also made clear that petitioner shall examine himself in evidence positively on the next date and no further opportunity shall be given.

(Mayuri Singh)
PO MACT (East)/KKD
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