

Exh. O-**BEFORE FOURTH LABOUR COURT MUMBAI**

(Presided over by Shri.D. V. JOSHI, Commissioner under
Employees Compensation Act and Judge)

APPLICATION(ECA) NO. 107/C-25 OF 2019

Mr. Anilkumar Jainath Pandey

... Applicant

Versus

Mr. Rakesh Jatashankar Shukla

... Opponent

ORDER BELOW (EXH.C-6)

(Dated: 12/10/2023)

1) Opponent no. 1 has filed present application to recall witness viz. Anilkumar Pande. It is his contention that, the matter is pending for evidence the advocate for opponent no. 1 was sick and unable to appear before this court on 30/03/2023. Hon'ble court be pleased to pass no cross order against the opponent no. 1. The absence of advocate of opponent no. 1 was not intentional, but due to above reason. Therefore he prayed that witness may be recalled for cross-examination.

2) The applicant filed say and strongly objected this application. It is his contention that lot of opportunity given to the respondent no. 2 to cross-examination the applicant's witness but failed to cross examine the witness. Therefore he prayed that, application may be rejected with heavy cost.

3) The opponent no. 2 has no any objection to set-aside no cross order passed against opponent no. 1.

4) Heard both the parties. Perused the say. As per submission of ld. Advocate for the opponent that, he was sick and

was unable to present before this court on 30/03/2023. In support of the said contention he has filed his discharge card issued by Wockhard Hospital. On perusal of said discharge card it appears that he was treated as indoor patient. Therefore in view of explanation given by ld. Advocate for opponent no. 1 witness of the applicant viz. Anilkumar Pande is recalled for the cross-examination. Hence I pass following order;

ORDER

- 1) Application is allowed.
- 2) Witness of the applicant viz. Anilkumar Pande is recalled for the cross-examination.

Sd/-

Date- 12/10/2023
VVM/-

(D. V. Joshi)
Commissioner under Employees
Compensation Act & Judge,
Fourth Labour Court Mumbai.