

BEFORE THE MEMBER, INDUSTRIAL COURT NO.1,
MAHARASHTRA AT KOLHAPUR.

Exh. O-

Comp.(ULP)No.127/2022
(CNR No. MHIC09-000310-2022)

Karveer Kamgar Sangh

Vs

Maharashtra Government

: ORDER BELOW EXH. C-4 :
(Dated :- 15.02.2024)

1. The respondent has filed present application for setting aside 'no w.s.' order dtd. 27.06.2023. Sans any reason the respondent has submitted to set aside the said order. The application is filed along with the copy of say and written statement.
2. The Ld. Counsel for Complainant Union has given say overleaf the application itself. It is submitted to reject the application. Alternatively it is urged to impose cost in case the application is allowed.
3. The Ld. Counsels for the litigating parties have canvassed oral arguments in support of their respective contentions. Heard the Ld. Counsels and perused the papers. It is seen that the complaint came to be filed on 01.12.2022. The respondents filed appearance

pursis Exh.C-1 on 11.01.2023 through the Ld. Asst. Govt. Pleader. No written statement order came to be passed on 27.06.2023 vide Exh.U-1. Thereafter, present application is filed on 05.01.2024. The respondent has not given any reason to set aside the said order. It is a settled proposition that a lis decided on merits is always on a better footing than a lis decided ex-parte. Therefore, this Court is inclined to grant the application filed by respondent but subject to cost. Hence, the application is liable to be allowed as follows;

: ORDER :

- 1) The application is allowed subject to payment of cost of Rs.1000/- by respondent to the Complainant within period of 14 days from the date of this order.
- 2) On payment on such cost, the C.O.C. is directed to mark the say and written statement with exhibit numbers.

Kolhapur.

Date : 15.02.2024.

RSS/-

Sd/-

(S. S. Khandekar)

Member,

Industrial Court No.1, Kolhapur.