

**BEFORE THE MEMBER INDUSTRIAL COURT, MAH., AT
SANGLI**

Complaint (ULP) No.44 Of 2019

Order Below Ex.C-14 & Ex.C-16

(Date : 5th April 2022)

1. Application at Ex.C-14 has been filed by the respondent for the waiver of costs imposed as per order passed below Ex.U-1 on 03/09/2021, and by application Ex.C-16 the respondent No.1 prays for setting aside no written statement order passed on Ex.U-1.

2. According to respondent, the complainant has preferred an application demanding certain documents. The respondent factory is going through critical condition as action against Securitisation Act was started. Meanwhile due to pandemic situation of Covid-19 the staff was not available for giving timely instructions for taking steps in the matter. Since the respondent is in critical phase and having no source of income and its assets are in possession of bank, therefore it is not in a position right now to pay costs. Therefore, the respondent prays to grant waiver an exemption from paying costs as per order below Ex.U-1.

3. Same and similar grounds are taken in application by which

no written statement order is sought to be set aside.

4. By filing reply on these applications the complainant has submitted that just in order to delay the matter the respondent is not filing written statement. Hence the application be rejected.

5. Heard both the learned advocates for the parties. The complainant in the present matter is senior citizen and is out of employment. He is claiming his legal dues from the respondent. Considering this situation efforts are being taken to avoid delay in the matter and hence order of costs has been passed below Ex.U-1. It is a matter of fact that after passing of such order the respondent has filed written statement with application to set aside no written statement order. The respondent No.2 has already filed written statement on record. At the time of hearing, both the learned advocates assured to the court that they will co-operate the court for deciding the present matter expeditiously. Since object is to decide the matter pertaining to senior citizens as expeditiously as possible, in my opinion, there is no need to again burden the party with costs. In the result, I think it will proper to grant waiver to the respondents from paying costs as per order passed below Ex.U-1 on the condition that both the parties will co-operate to decide the present

matter finally and expeditiously as possible.

Order

- (i) Both the applications are allowed.
- (ii) The respondents are granted exemption from complying the order passed below Ex.U-1 and costs imposed by the said order is hereby waived.
- (iii) Order of No Written Statement passed against respondent No.1 on Ex.U-1 dt.03/09/2021 is set aside. Written statement filed by respondent No.1 be taken on record.
- (iv) Both the parties to co-operate the court to decide the complaint finally as early as possible.
- (v) Dictated and pronounced in the Open Court.



Sangli.

Date : 5th April 2022.

(D.M. Patil)
Member,
Industrial Court Sangli