

Exh. O-3

**BEFORE SHRI ABHJIT R SOLAPURE, COMMISSIONER FOR
EMPLOYEES COMPENSATION & JUDGE
FOURTH LABOUR COURT, THANE**

**APPLICATION (ECA) NO. 300/B-94/2021
(CNR No.MHLC040000806-2021)**

Shri.Kunjalal Rajwar & Ors.	...Applicants
V/s.	
M/s. Power Engineers Company Ltd.	...Opp. Party
And	
The New India Assurance Company Ltd.	...Insurer

**ORDER BELOW EXH. C-5
(Passed on- 08/06/2023)**

Opponent no.2 has filed this application for setting aside the No WS order dtd. 24/01/2023. It is stated that, the matter involves an accident which is old and investigation took time. So the written statement could not be filed. The application is objected by the applicant stating that the delay is intentional and without any reason.

2. Heard both the Ld. Advocates.
3. The opponent No. 2, insurance company was duly served with the notice on 17/01/2022. It appeared on 16/08/2022 and finally filed written statement with this application on 28/02/2023. Indeed the accident is from the year 2013, but it does not entitle the opponent No. 2 to take such time for filing written statement.

However, considering the nature of dispute, there is need to give one opportunity to the opponent No. 2. Hence the order follows.

ORDER

- 1) Application is allowed.
- 2) The written statement with this application is taken on record.

Date : 08/06/2023
Thane
SSA

(Abhijit R. Solapure)
Commissioner for Employees
Compensation & Judge
Fourth Labour Court, Thane