

:- ORDER BELOW EXH.C-6 IN PGA NO.85/2023 :-
(Dated:- 23/07/2024)

1. Opponent Nos. 1 and 3 have filed present application for setting aside 'No W.S.' order passed against them on 13/02/2024. It is stated that Opponents being local body, self Government sought clarification from various departments of the Government. Due to such awaiting information from the various departments Opponents could not prepared their written statement within time. It is prayed that application be allowed and 'No W.S.' order passed against them be set aside. Applicant filed reply overleaf. It is stated that application is not maintainable if this Court come to conclusion that some cost may be imposed.

2. Before assessing reasons assigned by Opponents, I would like to refer the record of the proceeding. Notice of the proceeding was served on the Opponents No.1 and 3 on 18/07/2023. After that Opponents expected to appear and file their reply. However, Opponents failed to file written statement till 13/02/2024. This is an application for gratuity amount. In this background, it is necessary to have written statement of Opponents. To decide application on merit it is necessary to extend an opportunity to file written statement. Along with application written statement is annexed. Considering the dispute between the parties it is necessary to allow application and set aside 'No W.S.' order passed against Opponent. There is delay to file present application even after passing order against them. Causing delay

has to be saddled with cost. In the interest of justice following order is passed.

ORDER

1. Application is allowed subject to cost of Rs. 200/-.
2. 'No W.S.' order passed against the Opponents No. 1 and 3 is set aside.
3. Cost be paid to Applicant.

Date : 23/07/2024
Kolhapur.

(K. B. Kamgauda)
Controlling Authority Under
Payment of Gratuity Act & Judge,
Second Labour Court, Kolhapur.