

**BEFORE MR. SAIFUDDIN B. SHAIKH, PRESIDING OFFICER,**  
**LABOUR COURT, SANGLI.**

**(IDA) No. 15/2021**

**CNR No. MHLC-1000-0064-2021**

Shri. Mohiuddin Jamaluddin Mulla,  
R/o. Nur Jamal Manzil Garpir Colony,  
Ramamatanagar, Sangli  
Tal. Miraj, Dist. Sangli

**...Applicant,**

**Versus**

The Chairman / Secretary,  
The Sangli Salary Earners Co-operative  
Society Ltd., Sangli, 1104/B,  
Harbhat Road, Sangli

**...Opponent.**

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**ORDER BELOW EXHIBIT C-2**

(Delivered on 29<sup>th</sup> November 2022)

1) This is an application filed by the opponent seeking relief to set aside no say/written statement order passed by this court below Exhibit U-1, dt.08/03/2022.

2) According to the opponent, due to certain urgent issues of business problem, he could not able to provide certain necessary information and documents to his advocate for preparing written statement within time. Thus, his advocate could not able to file the written statement within statutory time.

Opponent further contended that, he has good case on merits and is requires an opportunity to put-forth its defence before the court for just decision of case on merits. Thus, opponent prayed to allow the application by condoning the delay caused for filing say/ written statement and thereby set aside no written statement order passed below Exhibit U-1, dt.08/03/2022.

3) The applicant strongly resisted the present application, by filing his say overleaf of the application itself and strongly objected. If court comes to conclusion to allow, heavy cost be imposed.

4) Heard learned advocate Shri. S.S.Mutalik, for the opponent and learned advocate Shri. N.M.Jagdale, for the applicant at length. They both are reiterated their respective pleadings during the course of their arguments.

5) In the light of submissions made by both the sides, I have carefully gone through the present application, its say and record and proceeding of the case at hand. It appears from the

record that the present proceeding filed by the applicant is in respect of Application IDA and valuable civil rights of applicant as well as opponent is involved in it. No doubt, the no say/written statement order dt.08/03/2022 has been passed and thus, near about 8 months 21 days period has been lapsed. However, considering the facts of the case at hand, I am of the view that, if the present application is allowed then no prejudice would be caused to the rights of applicant. On the other hand, if present application is rejected then heavy prejudice would be caused to the rights of opponent and he will not able to put-forth its side before the court. Thus, considering the nature of dispute involved in the case at hand and for just decision of case on merit, opponent requires an opportunity to put-forth its side before the court. Therefore, in the interest of justice, I am inclined to allow the present application by imposing certain costs on the shoulder of the opponent for the delay caused to file say /written statement. Hence, I pass following order :-

**:- O R D E R :-**

- (a) Application (Exhibit C-2) is allowed.
- (b) Written Statement be taken on record and exhibited.

- (c) No order as to costs.
- (d) Parties to note.

**Sangli.**

Date :- 29/11/2022

( Saifuddin B. Shaikh )  
Presiding Officer,  
Labour Court, Sangli.

RSK/-