

**BEFORE A.G. MAGARE, PRESIDING OFFICER,**  
**SECOND LABOUR COURT, PUNE.**

**REFERENCE (IDA)NO. 22 OF 2021**  
**(CNRNO.MHLC120001112021)**

**BETWEEN**

**UMW Dongshin Motech Pvt. Ltd.      ... FIRST PARTY.**

**AND**

**Shri. Chetan Gajanan Darvante.      ... SECOND PARTY.**

**ORDER BELOW EXH.C-3**  
**(PASSED ON : 02.08.2024)**

1. The application is filed by the first party for setting aside ex-parte order passed against it on 12.09.2023 at Exh.O-1 and to grant permission to file its written statement. Upon which, the Ld. Predecessor of this Court called say from the second party, which is given by his Ld. Advocate on the application itself and strongly objected and submitted that, the notice dated 27.12.2022 of the present matter was duly served upon the first party despite of that, the first party intentionally did not appear in the matter. Thereafter the ex-parte order was passed against the first party and the second party has filed his evidence affidavit and matter is listed for final stage. Thus, the first party is trying to prolong the matter, therefore the reasons in the applications are false. Therefore, prayed to reject the application.
2. Heard. Having regards to the oral submissions made by both the parties and having considered the record and proceedings, admittedly, ex-parte order was passed by Ld. Predecessor of this Court at Exh.O-1 on 12.09.2023 against the first party. Thereafter, the second party filed his evidence affidavit at Exh.U-6. Wherein, the first party appeared in the matter through Advocate and this application is filed by the first party alongwith written statement. It means that, the trial is not yet completed in the matter. Therefore in order to decide the matter on merits, ex-parte order dated

12.09.2023 passed against the first party requires to set aside subject to cost of Rs.1000/- payable to the second by the first party and permission requires to be granted to the first party to file its written statement. Hence, I proceed to pass the following order.

**ORDER**

1. Applications at Exh.C-3 is allowed.
2. Ex-parte order dated 12.09.2023 passed by this Court at Exh.O-1 is set aside subject to cost of Rs.1000/- payable to the second party by the first party on next date and on payment of cost, the written statement filed by the first party be taken on record.

**PLACE : PUNE.**

**DATE : 02.08.2024**

**PRESIDING OFFICER,  
SECOND LABOUR COURT, PUNE.**