

**LABOUR COURT, AMRAVATI.**

WCA (NF) No. 01 of 2016

**ORDER BELOW EXH-C-35**

(Passed on 23-09-2022)

This is an application for appointing court commissioner for examination of witness. Heard the arguments.

2] According to non applicant no.1, after the alleged accident it had taken the applicant for treatment to Giriraj Hospital, Jalna, where he was treated by Dr. Yogesh Dhanvat. No disability certificate was issued from the hospital. In order to prove said fact it wants to examine the Dr.Yogesh Dhanwat. However he resides at Jalna at the distance 150 Kms. He is busy practitioner. Therefore he cannot come to Amravati.

3] According to applicant, the application is filed just for causing the delay and harassing the applicant. They have no objection if the summons is issued to him or the doctor is examined b using video conferencing. Hence the application be rejected.

4] The non-applicant has not produced any material to show that the doctor is unable to come before the court. If, the doctor is busy then he can be examined through video conferencing. In stead of appointing court commissioner it would be more appropriate if the doctor is examined through video conferencing. Yet, witness summons has not been issued to him. The non-applicant has not clarified as to on what basis the statement is made that the doctor

Yogesh Dhanvate unable to come before the court or to depose through video conferencing. Hence, I pass the following order.

**ORDER**

- 1] Application is rejected.
- 2] Issue witness summons to Dr. Yogesh Dhanvate, Giriraj hospital, Jalana on depositing the witness Bhatta.
- 3] The non-applicant no.1 shall examine the witness through video conferencing by making appropriate arrangement.

Date : 23-09-2022  
Amravati.

Sd/-  
( Sachin S. Patil )  
Judge,  
Labour Court, Amravati.