

LABOUR COURT, AMRAVATI.

Complaint ULP No. 45 of 2018

ORDER BELOW EXH.C-13.

(Passed on 22-11-2022)

This is an application for discard the evidence filed by the complainant.

2] According to respondent, this court has upheld the enquiry as valid and as per principles of natural justice. The findings have also been upheld vide judgment on preliminary issues. The matter is pending for issue on the point of punishment, which needs to be decided on the enquiry record. There is no need of adducing additional evidence. However, the complainant has adduced the evidence by way affidavit of evidence, which needs to be discarded as additional evidence cannot be considered besides the enquiry record. Hence, this application.

3] According to complainant, application is not tenable. Complainant has right to adduce the evidence. Hence, the application be rejected.

4] This court has already decided the preliminary issue No.1 and 2 regarding fairness of enquiry and perversity of findings by upholding and enquiry and findings. The matter is pending for the issue on point of punishment, on which additional evidence cannot be considered. It needs to be decided on the enquiry record. The Advocate for complainant has after filing of present application has

not pressed the affidavit of evidence filed by complainant. Hence I proceed to pass the following order.

ORDER

Application is disposed off as complainant not pressed the affidavit of evidence.

sd/-

Date : 22-11-2022
Amravati.

(Sachin S. Patil)
Judge,
Labour Court, Amravati.

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