

IDA.02/2021
(CNR No.MHLC340000182021)

Lata Khote

-vs-

Municipal Council, Chandrapur

ORDER BELOW EXH.U-14
(Date :- 05.04.2023)

Instant application has filed by the learned Counsel of the applicant for issuing witness summons. It is submitted that in the present matter, applicant wants to give evidence of other witness. The applicant has not filed list of witness during filing of case. Now, the applicant wants to file the list of witness for further evidence. Hence, in the interest of justice, it is necessary to grant permission to file list of witness. Lastly, prayed to allow the application.

02. The learned Counsel of non-applicant has given say on rear side of this application and strongly opposed the application. It is submitted that the said witness is not related to this matter. Hence, this application is not tenable in the eye of law. Lastly, prayed to reject the application.

03. Heard the learned Counsel of the applicant and learned Counsel of non-applicant.

04. Perusal of the record, it appears that the said witness is important to examine to the applicant. applicant has filed address of the said witness along with this application. The non-applicant is not mentioned as to how the

said witness is not relevant. Nothing filed on record in this regard. If, the present application is allowed, no prejudice would be caused to the non-applicant because non-applicant has every opportunity to cross-examine the said witness. Therefore, in the interest of justice, it is necessary to give opportunity to the applicant to examine the said witness. Therefore, this application needs to be allowed. Therefore, the applicant is directed to deposit T. A. and D. A. of witness before issuance of the summons to the proposed witness as mentioned in the application. Hence, I pass the following order.

ORDER

- 1] Application – (Exh.U-14) is allowed.
- 2] Issue witness summons to the witness as prayed on P.F. and subject to the payment of witness Bhattas if any as per requirement of law.

CHANDRAPUR.
Date :- 05.04.2023.

Sd/-
(Smt. R. V. Mete)
Judge,
Labour Court, Chandrapur.