

**I.D.A. 05/2021**

(CNR No.MHLC340000572021)

Pradip Vyenkatesh Yenarkar

v/s

The Chandrapur District Central Co-Operative Bank Ltd.,  
Chandrapur. Through its Chairman.

**ORDER BELOW EXH.C-20**

(Passed on 10/04/2025)

**01.** This is an application filed by the learned Counsel of Non-applicant for setting-aside no evidence order dated 07.02.2025. It is submitted by the non applicant that in the said matter applicant has adduced his evidence and then the matter is posted for evidence of the non applicant. The non applicant examined its bank official as its witness and then the matter is posted for further evidence of the non applicant. It is further submitted that after that recruitment procedure of the bank employees was started and due to the said recruitment process most of the bank officials were busy in it. Meanwhile in the present matter order of closing of evidence of non applicant was passed and the matter was posted for evidence.

**02.** It is further submitted that during pendency of this matter, it came to the knowledge of counsel of the non applicant that some of the documents which were very much important for proper adjudication of this matter are remained to be filed on record due to over sight. Therefore, the non applicant filed certified copies of the same on record and also moved an application for exhibiting the same. But, said application came to 13 ptbe rejected and now the non applicant has to prove the said documents through its witness.

**03.** It is further submitted that the documents which has to be proved are very much important for just and proper adjudication of this matter and the said documents has to prove through the bank official of the non applicant. Therefore, it is necessary to grant permission to adduce evidence to the non applicant. The reasons mentioned in the application are bona fide one. If the permission is not granted to the non applicant then great prejudice will going to cause to the non applicant. Lastly prayed to allow the application.

**04.** The learned counsel of the applicant has given say on this application and strongly opposed the application. Lastly, prayed to reject the application.

**05.** Heard both the parties. Perused record.

**06.** On perusal of the record, it appears that the reasons assigned by the non-applicant for not adducing their evidence within time is appeared to be convincing and genuine. Under such circumstances, it would be justified to give one more opportunity to non-applicant for adducing their evidence. Considering the circumstances and aforementioned discussion, I am of the considered opinion that application deserves to be allowed but considering the delay on the part of non applicant Bank some cost needs to be imposed. In the result, I pass the following order.

**ORDER**

- 1) Application is allowed.
- 2) The no evidence order passed below (Exh.U-1) dated 07.02.2025 is set-aside subject to cost of

3.....

Rs. 500/- (Rs. Five Hundred Only) paid to the applicant on or before next date.

Sd/-

(Smt. R. V. Mete)

Judge

Labour Court, Chandrapur

C H A N D R A P U R.

Date :- 10.04.2025.