

**IDA.05/2021**

(CNR No.MHLC340000572021)

Pradip Yenarkar

v/s

CDCC, Bank Ltd.

**ORDER BELOW EXH.C-6**

**(Passed on 10/11/2022)**

This is an application filed by the non-applicant for setting-aside the no cross order dated 29.09.2022 passed against them. It is submitted that this matter is fixed for evidence of non-applicant. On 08.09.2022, the said matter is fixed for cross-examination of applicant. But, Counsel of non-applicant not feeling well. Due to this, they could not remain present before the Court and also went to Delhi for Medical treatment. Now, the non-applicant is ready to conduct the cross-examination. It is important to take the cross-examination. Lastly, prayed to allow the application.

**02.** The learned Counsel of applicant has given say on rear side of this application and opposed the application. It is further submitted the previous conduct of the non-applicant is mentioned. Therefore, prayed to reject the application.

**03.** Heard both learned Counsels for applicant and non-applicant. Perused the record.

**04.** On perusal of the record, it appears that sufficient opportunity was given to the non-applicant for cross-examination of the non-applicant and thereafter the no cross

order passed against the non-applicant. But, the reason assigned by the non-applicant is appeared to be convincing and genuine. Under such circumstances, in order to decide the matter on merit, it would be justified to give one more opportunity to the non-applicant to cross-examine the applicant. Therefore, in the interest of justice, this application needs to be allowed, But considering the delay on the part of non-applicant, some cost needs to impose on them. Hence, the following order is passed.

**ORDER**

Application – (Exh.C-6) is allowed subject to cost of Rs.100/- to be paid to the applicant on or before the next date.

Sd/-

C H A N D R A P U R.

(Smt. R. V. Mete)  
Judge

Date :- 10.11.2022.

Labour Court, Chandrapur