

## **ORDER PASSED BELOW EXHIBIT C-3 IN Ref. I.D.A CASE NO.03/2022**

The present application is filed by the party no.1 for setting aside no say order dated 23.07.2024.

02. Perused application and say.

03. Heard both sides.

04. It is submitted by the party no.1 through it's Ld. Advocate that the Court was pleased to pass no say order against party no.1 on 23.07.2024. There was no deliberated intention on part of party no.1 for causing delay. The Ld. Advocate for party no.1 had got heart attack last year and thereafter by pass surgery was conducted. The Doctor had advised the Ld. Advocate for the party no.1 to take rest. As such, the party no.1 could not prepare and filed say on record within time. As such, the party no.1 has prayed for setting aside no say order.

05. The applicant through it's Ld. Counsel has strongly opposed the application and prayed for rejection of the same.

06. It pertinent to note here that it is always desirable to decide the matter on merit in order to give finality to the decision. The party no.1 wants to filed reply on record. It is quite clear that after passing of no say order, the present application was moved after more than one year. The reason for non filing of say if considered, it appears that the delay has been caused, therefore, the party no.1 can be allowed to file reply subject to Costs. Hence, following order is passed. `

### **ORDER**

01. The application is allowed subject to Costs of Rs. 500/- payable to the applicant.

02. No say order dated 23.07.2024 stands set aside and permission is granted to the respondents to file reply on record.

**Date:** 19.01.2025

**Place:** Chandrapur.

Sd/-

(A.D.Tidke)

**Judge**

**Labour Court, Chandrapur.**

