

IDA.10/2021

(CNR No.MHLC340000982021)

Manohar Shende

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 last date, the Counsel of applicant went to Mul Court for urgent matter. Due to this, he could not appeared before this Court and in that regard an application had been filed before this Court. Now, learned counsel of the non-applicant is ready to conduct the cross-examination. In order to decide the case on merit, it is necessary to give one more opportunity to the non-applicant for cross-examination of applicant. 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.

C H A N D R A P U R.

Date :- 10.11.2022.

Sd/-

(Smt. R. V. Mete)

Judge

Labour Court, Chandrapur