

ULP.24/2019

Vaishali -vs- Z. P. Chandrapur.

ORDER BELOW EXH.C-8
(Dated 06.12.2021)

Instant application has filed by the respondents for setting aside the order dated 03.09.2021. It is submitted that today the matter is fixed for the examination in chief of the complainant. But, today perusal of the Court record, it appears that no cross order was passed by the Hon'ble Court on 03.09.2021. It is submitted that the Counsel of the respondent is residing at Nagpur and on last date, the Counsel of the respondent suffering from viral infection. Hence, the Counsel was unable to know the next date and he was unable to attend before the Court for cross-examination. It is also submitted that the cross-examination of the said witness no.1 is necessary in the interest of justice. Hence, prayed to allow the application.

02. The learned Counsel of complainant has given say and strongly opposed the application. It is submitted that the respondent or their Counsel are repeatedly absent and therefore order was passed by this Court is just and proper. The reason mentioned in the application is not proper. Hence, Prayed to reject the application.

03. Heard both the parties and perused record.

Considering the reason mentioned in the application in order to proceed the matter on merit, it is necessary to give opportunity to the respondents to cross-examine the witness no.1. Hence, I pass the following order.

ORDER

- 1) Application – (Exh.C-8) is hereby allowed subject to cost of Rs.200/- to be paid to the complainant on or before next date.
- 2) The no-cross order dated 03.09.2021 passed below (Exh.U-1) is set-aside and permission is granted to the respondents to cross-examine the witness.

C H A N D R A P U R.
Date :- 06.12.2021.

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