

ULP.32/2021

(CNR No.MHLC340001232021)

Jitendra Kumbhare -vs- Sahakari Shetaki Kharedi

(ORDER BELOW EXH.U-12)

(Date :- 23.06.2022)

Instant application is filed by the complainant for permission of amendment in complaint. It is submitted that while preparing for hearing on (Exh.U-2) as the counsel changed, it is notice that there are material mistakes in paragraph 1 to 7, which needs to be corrected prior to hearing on (Exh.U-2). Lastly, prayed to amend in complaint as proposed in the application.

02. The learned Counsel for the respondent has given reply on this application and strongly opposed the application. It is submitted that specifically amendment in clause (4) is strongly opposed. Hence, proposed amendment in the complaint is rejected.

03. Perused the application and say. Heard both the parties. As per instant application filed by the learned counsel of complainant while preparing for hearing on (Exh.U-2) as the counsel changed, it is noticed that there are material mistake in paragraph no.1 to 7, which needs to be corrected prior to hearing on (Exh.U-2). In such circumstances, proposed amendment is necessary. It

appears that the proposed amendment will not change the nature of the case. So also, no prejudice will be caused to the respondent due to the proposed amendment.

On the contrary, the proposed amendment is necessary for determination of controversy between the parties. Also, the respondent has every opportunity to cross-examine the complainant on this issue. Considering the circumstances, I am of the view that application deserves to be allowed. In the result, I pass the following order.

ORDER

1. Application is allowed .
2. The complainant is hereby permitted to carry out proposed amendment within stipulated period and produce amended copy on record.
3. No order as to costs.

Chandrapur

Date : 23/06/2022.

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

Labour Court, Chandrapur.