

P.G.A. 130/2023

(CNR No.MHLC340002952023)

Namdev Ajabrao Mude

v/s

Chief Executive Officer, Zilla Parishad, Chandrapur. +1

ORDER BELOW EXH.C-2

(Passed on 07/08/2024)

This is an application filed by the learned Counsel of Non-applicant for setting-aside ex parte order passed against them dated 26.06.2024. It is submitted that today the instant matter is fixed for evidence of applicant. It is further submitted that non appearance on the part of non applicant and his counsel was not deliberate and intentional. If the ex parte order is not set aside non applicant will suffer irreparable loss. Lastly, prayed to set-aside ex parte order dated 26.06.2024.

02. The Representative of applicant has given say on this application and strongly opposed the application. It is submitted that non-applicant intentionally in order to prolong the matter not appeared in the matter within time. Lastly, prayed to reject the application.

03. Heard the learned counsels of both the parties. Perused record.

04. On perusal of the record, it appears that the reason assigned by the non-applicant for non appearance in the matter within time is appeared to be convincing and genuine. Under such circumstances, it would be justified to give one more opportunity to non-applicant to appear and proceed with the

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matter. Considering the circumstances and aforementioned discussion, I am of the considered opinion that application deserves to be allowed but considering the delay on the part of non applicant some cost needs to be imposed. In the result, I pass the following order.

ORDER

- 1) Application is allowed, subject to cos of Rs. 100/- (Rs. One Hundred Only) paid to the applicant on or before next date.
- 2) Parties to note the order

C H A N D R A P U R.
Date :- 07.08.2024.

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