

IN THE FIRST LABOUR COURT AT AHMEDNAGAR.

(Presided over by Dr. T.N. Quadri)

Application (W.C.) No. 31/2025.
(CNR – MHLC-160001712025)

Kalawati Bhausahab Golhar & oth.

... **Applicants.**

VERSUS

Jalindar Shahdev Golhar
and another.

... **Non-applicants.**

ORDER BELOW EXH. C-2.
(Dated : 13-01-2026)

1. The application is filed by the non-applicant No. 2 Insurance Company for setting aside the order of proceeding ex-parte and permission be granted to file its say / written statement on record. Non-applicant No. 2 submitted that due to heavy work load of all the Hon'ble Tribunals, Courts and Commissions in four Districts, there was some kind of burden on Authorized Representatives of the non-applicant No. 2 Insurance Company. Therefore, the Authorized Representatives failed to scrutinize and finalize the written statement within time. The delay caused in appearing and filing the written statement is not deliberated or intentional one. The non-applicant wants to contest the matter on merit. If the order of 'Ex-parte' passed against it is not set aside, the non-

applicant No. 2 will suffer irreparable loss. Hence, non-applicant No. 2 prayed to set aside the “Ex-parte” order passed against it and the written statement be taken on record.

2. The original applicants have resisted the application by filing say overleaf of the application. It is submitted by the applicants that this Court has already given sufficient opportunity to the non-applicant to appear and file its written statement, but the non-applicant has failed to appear within time. Hence, it is prayed that the application be rejected with heavy cost.

3. Heard Learned Advocates for both sides. Perused present application, say on it and record and proceeding of the present case.

4. Perusal of the postal acknowledgement (Exh.O-3) discloses that the summons were served on the non-applicant No. 2 through R.P.A.D. on 16.08.2025. Thereafter, for about four dates the non-applicant No. 2 did not appear and file its say / written statement. Hence, this Court on 14.11.2025 has passed ‘Ex-parte’ order below Exh. U-1. Thereafter, on today, the non-applicant No. 2 has filed the present application along with written statement. The present application is not supported with an affidavit. However, to avoid multiplicity of the proceeding and for proper and final adjudication of the dispute, it is necessary to give one more opportunity to the non-applicant No. 2 to contest the matter by filing its written statement on record. It is also to be kept in mind that, due to conduct of the non-applicant No. 2, delay is

causing for final adjudication of the matter. Therefore, it is necessary to impose costs while allowing the application. Resultantly, following order is passed;

ORDER

- 1) The application Exh. C-2 is hereby allowed.
- 2) Ex-parte order dated 14.11.2025 is hereby set aside subject to costs of Rs.500/-, payable to the applicants.
- 3) On payment of costs of Rs.500/-, written statement filed by the non-applicant No. 2 be taken on record.

Date : 13.01.2026.

(DR. T.N. QUADRI)
Judge,
1st Labour Court, Ahmednagar.