

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7335 of 2023**

=====

M/S CLEANAIR SYSTEMS AND DEVICES

Versus

RAVINDRA BABUBHAI KAMLI

=====

Appearance:

MR HEM R DAVE(11961) for the Petitioner(s) No. 1,2

for the Respondent(s) No. 1,2,3

=====

CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 01/05/2023****ORAL ORDER**

1. This petition is filed challenging the order dated 08.08.2017 wherein delay condonation application filed by the petitioner is rejected. The petitioner also challenges the order dated 23.09.2022, which is a recovery certificate.

2. Heard learned advocate Mr. Dipak Dave for learned advocate Mr. Hem Dave on behalf of the petitioner.

3. It cannot be ignored that the order challenged in the present petitioner is dated 08.08.2017, wherein despite opportunity, the petitioner did not participate in the proceedings and therefore the Labour Court, Valsad passed an exparte order. The order dated 23.09.2022 is the recovery certificate pursuant to the order dated 08.08.2017.

4. Learned advocate for the petitioner upon instructions of his client showed his willingness to settle the matter and

therefore this Court is inclined to issue Notice.

5. Issue **Notice** returnable on **22.08.2023**.

6. Let an amount of Rs.25,000/- be deposited by the petitioner as costs with the Nazir of this Court within a period of one week from the date of receipt of this order.

7. Since the petitioner is ready and willing to settle the matter, the petitioner is at liberty to seek adjournment before respondent No.3 in relation to his recovery proceedings.

Direct service is permitted.

SHRIJIT PILLAI

(MAUNA M. BHATT,J)