

WEB COPY

W.P.No.27171 of 2023

M.DHANDAPANI, J.

Admit.

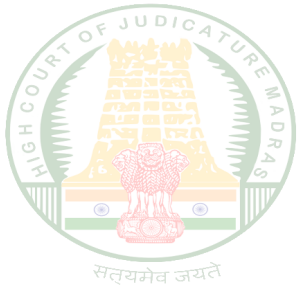
Issue Rule NISI.

Call for records within 8 weeks.

15.09.2023

(1/2)

(rap)



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W.M.P.No.26611 of 2023

in

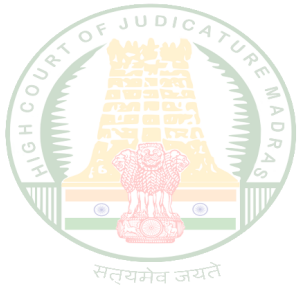
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It is the case of the petitioner that he filed a claim petition in C.P.No.29 of 2021 before the II Additional Labour Court, Chennai u/s.33(C)(2) of the Industrial Disputes Act, 1947. Thereafter, the respondent filed an Interlocutory Application in I.A.No.3 of 2023 in C.P.No.29 of 2021, in order to eschew the evidence of RW1 / A.Jeyachandran. However, the said application was allowed by the II Additional Labour Court, Chennai vide order dated 11.08.2023 on the ground that the witness had tendered his resignation and had joined in some other company. Challenging the same, the present writ petition has been filed.

2. The learned counsel for the petitioner submits that the evidence of the witness cannot be eschewed during the course of cross examination and the probative value of whatever evidence that had been placed by the witness is to be taken up for consideration by the Courts in the event of non availability of the witness for further cross examination.

3. Considering the *prima facie* case has been made out by the petitioner, there shall be an order of interim stay as prayed for. Notice to the respondent returnable in by 27.09.2023. Private notice is also permitted.



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M.DHANDAPANI., J.

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4. Post the matter along with W.P.No.26792 of 2023 on 27.09.2023.

15.09.2023

(2/2)

(rap)

W.M.P.No.26611 of 2023 in
W.P.No.27171 of 2023