

Joginder Singh v. Vijay Kumar and Anr.

**CMP No. 10080 of 2025 in
CMPMO No. 346 of 2023**

31.7.2025 Present: Ms. Rajni Gandhi, Advocate, for the applicant/petitioner.

Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C. Verma, Additional Advocates General with Mr. Ravi Chauhan, Deputy Advocate General, for the non-applicants/respondents.

By way of instant application, prayer has been made by the applicant/petitioner for modification of order dated 21.7.2023, passed by this Court in CMPMO No.346 of 2023, whereby this Court set aside order dated 15.6.2022 and claim petition No.07-02 of 2018 filed under Workmen's Compensation Act, titled Joginder Singh v. Vijay Kumar and Ors., with the direction the applicant/petitioner to remain present before the learned Civil Judge Bilaspur on 1.8.2023, enabling it to proceed with the matter.

While passing aforesaid order, this Court specifically ordered that in case applicant/petitioner fails to cause his presence on the date fixed by this court, order dated 15.6.2022 passed by the learned trial court would automatically revive. No doubt, in the instant petition, modification of afore order has been sought on the ground that on 1.8.2023, matter was not listed before the learned Civil Judge, Bilaspur, as is evident from the cause list annexed with the application. It is averred in the application that since on 1.8.2023, matter was not listed, direction may be given to the court below to fix some

other date, enabling the applicant/petitioner to cause his presence.

Though by way of placing on record cause-list of the date, an attempt has been made by the applicant/petitioner to demonstrate that on 1.8.2023, matter was not listed before the learned Civil Judge, but before accepting aforesaid version of the applicant/petitioner, this Court finds it necessary to call for report from the court concerned with regard to proceedings, if any, held on 1.8.2023, pursuant to order dated 21.7.2023, passed by this court in the aforesaid case.

In view of the above, let Registry call for specific information from the court concerned in terms of directions contained in the instant order and thereafter, same be placed before this court enabling this court to pass appropriate orders in the application at hand. List on **8.9.2025**.

July 31, 2025
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(Sandeep Sharma),
Judge