

IN THE HIGH COURT OF JHARKHAND AT RANCHI
M.A. No. 248 of 2010

M/s Janta Motor Works & Another Appellants
Versus
Deputy Regional Director, Employees'
State Insurance Corporation & Another Respondents

CORAM: HON'BLE MR. JUSTICE ANANT BIJAY SINGH

For the Appellants : Mr. Mohan Kumar Dubey, Advocate.
For the Respondents : Mr. Ashutosh Anand, Advocate.

40/Dated : 08/08/2019

I.A. No. 6180/2015 has been filed under Order XLI Rule 27 read with Section 151 of the Cr.P.C., 1908 on behalf of respondents on 27.10.2015 to bring on record certain additional evidence.

The I.A. was taken up on 18.02.2016 and this Court ordered that I.A. will be considered at the time of final hearing of the appeal. On 20.06.2019, this Court directed Kundan Kumar Jha, Social Security Officer, Employees' State Insurance Corporation, Namkum to remain physically present in Court.

Today, Kundan Kumar Jha, Social Security Officer, Employees' State Insurance Corporation, Namkum is physically present.

Learned counsel for the appellants relied on the judgment of Hon'ble Supreme Court passed in the case of **N. Kamalam (Dead) and Another and Ayyasamy and Another** reported in **(2001) 7 SCC 503** and submitted that as per settled law, the respondent cannot be allowed to adduce additional evidence at this stage of the case.

In terms of Order XLI Rule 27 of the C.P.C., this Court has ample power to direct any person to produce document and to examine witness to determine any substantial issue. So this Court is of the view that after hearing the appeal on merits and perusal of the evidences of both the parties, appropriate directions will be passed on I.A. No. 6180/2015.

List this case on **17.10.2019**.

Physical appearance of Sri Kundan Kumar Jha, Social Security Officer, Employees' State Insurance Corporation, Namkum is dispensed with.

Office is directed to hand over the original records to Sri Kundan Kumar Jha, Social Security Officer, Employees' State Insurance Corporation, Namkum.

(Anant Bijay Singh, J.)

Sunil/