

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE DISTRICT COURTS, NEW DELHI

Misc DJ Case No:2732/2020

Title: Ms. Madhu Bala Vs. Management of Competition Review (P) Ltd.

05-09-2020

Present: None.

Today the case is fixed for order on the application filed on behalf of the management for setting aside and recalling of the ex-parte proceedings and the ex-parte Award dated 21-12-2019. The contention of the management is that the at the time of appointing the AR/advocate for management, it was told by the AR of the management Sh. S.P. Gautam that he would look after the case by himself and the management need not to appear in the case unless the AR requires them and calls for them. It is stated that, thereafter, the management did not receive any information about the case from its above said AR and they were under shock to receive an intimation from the Joint Labour Commissioner vide its letter dt. 31-01-2020 that an award dated 21-12-2019 has been passed against the management and that the award was being published. After that the management immediately contacted its AR but he could not give satisfactory response to them about the ex-parte award. It is submitted that upon subsequent check up it came to the knowledge of management that on 04-06-2018 none had appeared on behalf of the management and the opportunity of the management to cross examine the workman witness was closed and thereafter the management evidence was also closed in absentia. The AR of the management also did not appear at the stage of final arguments, consequently the ex-parte award was passed by the court. It is stated that

in view of the above facts the management got deprived of an opportunity of contesting the case on account of the absence of its AR. Hence, the present application. It is prayed that the ex-parte proceedings dt. 04-06-2018 and the ex-parte award dated 21-12-2019 may kindly be set aside and management may be given opportunity to cross examine the workman and lead defence evidence.

Reply to the above application has been filed by the AR of the workman on the official e-mail ID of the Reader of this court and print out of the same is available on record. In its reply the AR of the workman has vehemently opposed the instant application of the management and stated that the present application has been filed only to harass the worklady. It is stated that sufficient opportunities were given to the management to cross examine the worklady and to lead its Defence Evidence but the management has failed to do so, therefore, the application of the management is liable to be dismissed with heavy cost.

Heard. File perused.

Despite opportunity the management has failed to cross examine the WW1, therefore, the opportunity of the management to cross examine WW1 was closed on 04-06-2018 and the matter was fixed for management's evidence but the management has failed to lead DE in this case, therefore, the matter was proceeded and final Award was passed on 21-12-2019.

I have gone through the grounds for setting aside the award dated 21-12-2019. Considered. I have gone through the Rule 10B (9) of the Industrial (Central) Rules, 1957 which is as under:-

“In case any party defaults or fails to appear at any stage the Labour Court, Tribunal or National Tribunal, as the case may be, may proceed with the reference ex-parte and decide the reference application in the absence of defaulting party; Provided that the Labour Court,

Tribunal or National Tribunal, as the case may be, may on the application of either party filed before the submissions of the award revoke the order that the case shall proceed ex-parte, if it is satisfied that the absence of the party was on justifiable grounds.”

In view of the reasons mentioned in the instant application of the management and in the interest of justice as no prejudice shall be caused to the opposite party/worklady, if the instant application is allowed as the opposite party would get the full opportunity to contest/defend the case, I deem it appropriate to allow the instant application of the management, however, subject to cost. Further the same will help the court to determine the real question in controversy between the parties and decide the matter effectively and justifiably.

In view of the discussion made above, the instant application of the management is allowed and Award dt. 21-12-2019 is recalled/set aside, however, subject to cost of Rs.7,000/-(Seven Thousand) to be paid by the management to the workman on the next date or transfer the same in his bank account due to Covid-19 situation. The LIR is restored to its original number. The misc. file be consigned to record room and be tagged with original file.

Put up for payment of cost and cross examination of the worklady/WW1, as last and final opportunity, on 03-12-2020. A copy of this order be upload on website of RADDC and a copy of the same be sent/transmit to the concerned labour office through electronic mode.

Announced in the open court.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue District Courts, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:LC-1124/16

Title: Vijendra Singh Vs. M/s GB Pant Hospital etc.

05-09-2020

Present: None.

Today the case is fixed for physical hearing of the case in the court. However, none has appeared on behalf of the parties, therefore, in the interest of justice, no adverse order is passed due to Covid-19 situation and the matter is adjourned for ME on 26-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:9421/16

Title: Gaylord Vs. M/s Sound Shaft

05-09-2020

Present: None.

No PF filed for the service of management.

Today the case is fixed for physical hearing of the case in the court. However, none has appeared on behalf of the parties, therefore, in the interest of justice, no adverse order is passed due to Covid-19 situation and the matter is adjourned for service of management on filing of PF & RC by the workman returnable on 26-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:LCA-87/16

Title: Sh. Prem Sagar Vs. M/s Gurbhej Transport

05-09-2020

Present: None.

Today the case is fixed for physical hearing of the case in the court. However, none has appeared on behalf of the parties, therefore, in the interest of justice, no adverse order is passed due to Covid-19 situation and the matter is adjourned for cross examination of workman/WE on 12-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:LIR-2242/16

Title: Sh. Prem Sagar Vs. M/s Gurbhej Transport

05-09-2020

Present: None.

Today the case is fixed for physical hearing of the case in the court. However, none has appeared on behalf of the parties, therefore, in the interest of justice, no adverse order is passed due to Covid-19 situation and the matter is adjourned for cross examination of workman/WE on 12-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:6532/16

Title: Jitesh Kumar Vs. M/s Principal Amity International School

05-09-2020

Present: Sh. Umesh Dubey, AR for workman.
Sh. Partap Behra, AR for management.

Today the case is fixed for workman's evidence. Due to Covid-19 situation and as per the norms of physical hearing of case, no evidence should be recorded in contested case, therefore, the matter is adjourned for WE on 18-11-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:2451/16

Title: Sanjay Thapar Vs. Total Shipping India Pvt.

05-09-2020

Present: None.

Today the case is fixed for physical hearing of the case in the court. However, none has appeared on behalf of the parties, therefore, in the interest of justice, no adverse order is passed due to Covid-19 situation and the matter is adjourned for ME on 13-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:3713/16

Title: Jitender Kumar Vs. M/s Modern Service Station

05-09-2020

Present: None.

Today the case is fixed for physical hearing of the case in the court. However, none has appeared on behalf of the parties, therefore, in the interest of justice, no adverse order is passed due to Covid-19 situation and the matter is adjourned for ME on 17-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:2395/2016

Title: Sanjeev Gulati Vs. Sir Ganga Ram Trust

05-09-2020

Present: Sh. Deepak Anand, Sh. Ayushman AR/Advocate for workman
along with workman in person.

Sh. Kamal Kant Tyagi Advocate/AR of management.

Argument on inquiry issue heard.

Put up for order on inquiry issue on 30-09-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:3643/2016

Title: Afroz Ansari Vs. Vodafone Essar Mobile Service

05-09-2020

Present: None for the workman.
None for the management.

Since, none is present on behalf of the parties, therefore, in the
interest of justice, matter is adjourned for final argument on 23-09-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:1032/2016

Title: Sh. Dharamveer Vs. M/s G4S Secure Solution India Pvt. Ltd.

05-09-2020

Present: None for the workman.

Sh. Kamal Kant Tyagi, proxy for AR of management.

Since, none is present on behalf of the workman, in the interest of justice, matter is adjourned for ME on 28-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:5020/2016

Title: Mukesh Kumar Vs. M/s G4S Secure Solution India Pvt. Ltd.

05-09-2020

Present: None for the workman.

Sh. Kamal Kant Tyagi, proxy for AR of management.

Since, none is present on behalf of the workman, in the interest of justice, matter is adjourned for ME on 28-10-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:42/2019

Title: Robin Rajbongshi Vs. The Govt of Assam

05-09-2020

Present: None for the workman.

Sh. Nalin Kohli AR/Advocate for management.

Today the matter is taken up in physical court's hearing. The matter is fixed for filing of rejoinder by the workman and framing of issues, however, none is present on behalf of the workman, therefore, in the interest of justice last and final opportunity is granted to the workman to file rejoinder, with advance copy to the management, and for framing of issues on 03-11-2020.

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:

Title:

Statement of Sh.

On oath.

RO&AC

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020

IN THE COURT OF MS.VEENA RANI :PRESIDING OFFICER LABOUR
COURT, ROUSE AVENUE COURTS COMPLEX, NEW DELHI

Case No:

Title:

05-09-2020

Present:

(VEENA RANI)

Presiding Officer Labour Court

Rouse Avenue Courts Complex, New Delhi

Judge Code : DL0271/Date:05-09-2020