

**Item No.- 09**

I.D. No. 41/2017

04<sup>th</sup> June 2026

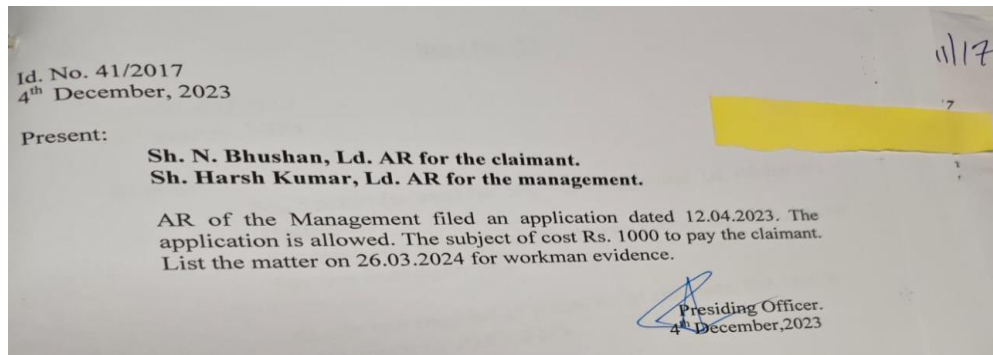
**Present:**

**Ms. Kiran Dagar, Ld. AR for the claimant.**

**None for the management.**

The Ld. AR for the claimant has agitated an objection that this Tribunal had earlier passed an order on an application of the management subject to payment of costs of Rs. 1,000/-. However, neither the said application was found on record upon inspection of the court file, and according to her, no opportunity was given to her to file a reply to the said application. In this regard, this Tribunal, vide order dated 13.08.2025, had directed the office to trace the missing application and report a status at the earliest. Today, the office has reported that the application couldn't be traced despite best efforts.

In this respect, the order dated 04.12.2023 is required to be reproduced:



The said order was passed in presence of Sh. N. Bhushan, the then Ld. AR for the claimant. His attendance was marked on the proceedings dated 12.04.2023, 04.10.2023 and 04.12.2023. Earlier to that, Adv. Rajiv Aggarwal, Sh. Sachin, Sh. Surendra Bhardwaj and Sh. R. Pandey had also represented the claimant at different stages of the proceedings.

Adv. Ms. Kiran Dagar filed her authority letter on 29.07.2024. Instead of calling the claimant for deposition, she submitted that an award in the present matter be passed on the

ground that the management's right to cross-examine the claimant had earlier been closed and was subsequently restored without considering the submissions of the claimant.

The aforesaid contention of the claimant is devoid of merit in view of the fact that the order was passed in presence of the erstwhile counsel for the claimant, Sh. N. Bhushan. Merely because the application is not traceable, doesn't mean that the application was not filed.

In these circumstances, the claimant is directed to bring its witness for cross-examination on 22.09.2026. In the meanwhile, notice be issued to the management through its Ld. AR, with direction to appear and cross-examine the claimant. A copy of this order be sent to Ld. ARs for both parties via email.

Presiding Officer  
CGIT-cum-labour court-II