

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, DELHI**

D-1/53/2022

M/s Energo Construction Ltd. vs. APFC/RPFC, Delhi East

Present: Ms. Neetu Mishra, Ld. Counsel for appellant
Sh. Abhishek, counsel & Sh. Deepak Kumar, A/R for Respondent.

Order Dated-10.12.2025

ORAL

Ld. Counsel for the appellant pressed her application seeking restoration of the appeal which was dismissed on 12.11.2025. The reason being that on 12.11.2025, she could not appear due to her sudden illness, as she got very severe vomiting and headache due to the sudden/ abnormal high BP. Therefore, she submits that the non-appearance on part of the appellant was neither intentional nor deliberate, and for this reason she could not appear.

Ld. Counsel for the respondent has not filed the reply, however, he strongly opposed the prayer and stated that tribunal on 25.09.2025 has noted the fact that the counsel of the appellant had appeared after the court was over and noted the date of hearing. However, on 12.11.2025 the respondent waited for the whole day, but no information was received from the counsel. In fact, if the counsel for the appellant had a serious problem, then she should have informed in advance or at least on the same day she should have communicated about non-appearance to him.

Considering the fact that the application is filed within the period of limitation, the application for restoration is allowed, subject to the cost of Rs.2000/- which shall be paid to the counsel for the respondent because he waited for the whole day on that date. Put up the case on 08.01.2026 for arguments on the stay application.

Sd/-

Atul Kumar Garg
(Presiding Officer)