

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, ROUSE AVENUE,
DISTRICT COURT COMPLEX, DELHI.**

Present:

Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

ATA No.D-1/37/2018

M/s Evershine Housekeeping Services (Regd.)

Appellant

Vs.

APFC, Delhi (N)

Respondent

ORDER DATED:- 08.04.2021

Present:- Shri S.P. Arora, Ld. Counsel for the Appellant.
Shri S.N. Mahanta, Ld. Counsel for the Respondent.

This order deals with a misc. application filed by the respondent praying modification of the order dated 20.12.2018 and waiver of the cost imposed on the respondent on the grounds stated in. Argument was heard on the said Misc. application on 27.02.2020.

Perusal of the record shows that the appeal was filed in the year 2018 and order was passed on 31.10.2018 admitting the appeal with a specific direction to stay the execution of the order. Thereafter, the matter suffered several adjournments for filing of the reply to the appeal by the respondent. Since, the respondent failed to file the reply and asked for further time this tribunal by order dated 20.12.2018 allowed time as a last chance subject to payment of cost of Rs. 5000/- and filing of reply. In the petition it has been stated that the reply could not be filed in time as the counsel for the respondent was ill and there is no malafide intention behind the same.

The Ld. Counsel for the appellant insisted that the cost imposed should not be waived since the delay in filing the reply has caused substantial prejudice to the appellant.

But considering the facts that the reply by the respondent has already been filed, copy supplied to the appellant and the appeal is now ready for hearing, the cost imposed by order dated 20.12.2018 is hereby waived. Call this matter on 23.09.2021 for argument on merit.

Presiding Officer