

# ORDER SHEET

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL – Cum – LABOUR COURT,  
JABALPUR (M.P.)

Date of Order of Proceeding	Order Or Proceeding with Signature of Presiding Officer	Remark
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Case No. CGIT/LC/M/05/2024

Shri Rameshwar Prasad Nayak V/S National Textiles Corporation, Bhopal

11.02.2025 Matter taken up.

Learned Counsel for Applicant Workman Shri Arun Patel present. None present for the opposite party, though they have filed their Vakaltnama. I have heard argument of Learned Counsel for Applicant Workman on the application filed by him for setting aside Ex-parte Award dated 27.12.2023 passed in the case R/36/2021. Copy of Notification Received on 30.01.2024. The Application has been filed on 20.06.2024. The grounds taken are that case on 30.11.2021 was fixed and notice for this date was served on the Workman. He had appointed his Counsel Shri A.P. Shrivastava on 31.01.2022 for the case for fixed for filing Statement of claim but he did not appear.

He did not appear on the next dates fixed in the case.

Since on 06.02.2023 till 05.09.2023, the Court was vacant, new notice of the Case after joining of the Presiding Officer was sent on him. He first came to known about the Judgment and Award after he received a Copy of the Award. According to the Workman, the Management also did not appear in this case.

Grounds are supported by affidavit.

Perusal of the Awards shows that since none of the parties appeared in the case nor did any party filed any pleadings, the reference was answered against the Workman.

**Learned Counsel has relied on judgment of Hon'ble Supreme Court in the Case of M/s Haryana Suraj Malting Ltd. Vs. Phool Chand, reported in AIR 2018 SC 2670.**

No objection has been preferred by the opposite parties.

Relying on the principle of law laid down in the reported

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	<p>case, the Application deserves to be allowed and is allowed.</p> <p>The Ex-parte Award and Judgment dated 27.12.2023 are set-aside. The reference case R/36/2021 be restored on its original number.</p> <p>Upload this order.</p>	
		