

BEFORE IN THE LABOUR COURT AT AKOLA.
(Presided over by : D. S. Paikrao, Judge)

PGA No.162/2025

Shriram Bakshiram Chavhan
Vs
Divisional Forest Officer, Akola and Other.

ORDER BELOW EXH. C-2
(Delivered on 13/08/2025)

The application has been filed by the non-applicants for setting aside Ex-parte order dated 14/07/2025 and grant of permission to file written statement on record in the interest of justice to the non-applicants.

2. It is submitted by the non-applicants that in the matter on 14/07/2025 the court has passed Ex-parte order against the non-applicants. It is submitted that the non-applicants due to some personal difficulty they could not appear in the matter. Serious prejudice would be caused if permission is not granted to file written statement on record to the non-applicants. Therefore the court has passed ex-parte order against the non-applicants dated 14/07/2025 may be set aside and the non-applicants may be permitted to file written statement on record in the matter in the interest of justice.

3. The application is strongly opposed by the applicant by filing reply and contended that, the applicant has filed present application for payment of gratuity from the non-applicants. The non-applicants being a habitual defaulter was failed to take necessary action on each and every time. The reason mentioned in this application is baseless. Thus this ground does not subsist for the non-applicants. The non-applicants are adopting delaying tactics. The said application may kindly be imposed heavy cost and rejected.

4. I have heard the learned counsels for both the parties, I have gone through the record. It appeared from the record that the applicant has filed present case for the payment of gratuity from non-applicants. The non-

2.

applicants have filed the present application to set aside Ex-parte order passed by this court on 14/07/2025.

5. Though the reasons assigned by the non-applicants not convincing the record show that one month before the court has passed the order against the non-applicants for Ex-parte. It is settled principal of law matter should be decide on the merit after hearing of both the parties and given fair opportunity to parties. Therefore to give fair opportunity to non-applicants the application deserves to be allowed. Hence, the application is allowed and the order passed by this court as Ex-parte is set aside and permission has given to the non-applicants to file written statement on record. In the result, I pass the following order.

ORDER

1. Application is allowed.
2. The order dated 14/07/2025 passed by this court Ex-parte has been set aside and permission granted to file written statement on record.
3. The non-applicants are directed to submit written statement on next date in the said matter
4. The application disposed off accordingly.

Place : Akola.
Date : 13/08/2025.

(D. S. Paikrao)
Judge,
Labour Court, Akola.