

Jageshwar Tekam ..Vs.. Range Forest Officer and others

Order Below Exh. C-14

The respondents have filed this application for production of documents under Or. XI Rule 14 of the Code of Civil Procedure, 1908. It is stated that the respondents in the written statement have specifically stated that the complainant was engaged as a seasonal worker depending upon the availability of work. The complainant has never worked for 240 days during any calender year. The complainant during his cross examination has admitted that in his bank account, his wages were directly deposited by the respondents. Hence, it is prayed that the complainant be directed to file statement of his bank account for the relevant period.

2. The learned advocate for the complainant in his reply at Exh. U-10 has stated that the provisions of Code of Civil Procedure, 1908 are not applicable to this Court. It is stated that the record of the complainant is in the custody of the respondents. The respondents are the employers of the complainant. Therefore, it is not necessary to provide any bank details. It is stated that this application is filed to mislead the Court. It is stated that this application is filed to delay the complaint. It is stated that the application be rejected with heavy costs in the interest of justice.

3. Undisputedly, the provisions of the Code of Civil Procedure, 1908 are not strictly applicable to this Court. It is also not in dispute that the respondents are the employers of the complainant. It is not in dispute that all the respondents are the State Authority. The respondents have specifically stated that they have deposited the

Contd..2

amount in the bank account of the complainant. The respondents being employer must be having documentary evidence of depositing the amount in the bank account of the complainant. It is not necessary for the complainant to provide the bank details to the respondents. As the respondents have deposited the amount into the account of the complainant, the respondents can submit their bank statement. The respondents can not take help of the complainant to prove their case. Therefore, application can not be allowed. So, following order is passed.

Order

1. Application is rejected.
2. No order as to costs.

BHANDARA.
DATE : 10/02/2025.

(F.K. Shaikh)
Judge,
Labour Court, Bhandara.