

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Writ Petition No. 18689 of 2016
Date of Decision: 8.9.2016**

M/s International Print-O-Pac Limited through its Authorized
Representative Vivek Bisaria
.....Petitioner

Vs.

Commissioner under Employee's Compensation Act, 1923, Faridabad and
another
.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Ashish Chopra, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the impugned order dated 11.5.2016
(Annexure P-2) passed by the Commissioner under Employee's
Compensation Act, 1923, Faridabad-respondent No.1, whereby evidence of
the petitioner was closed, petitioner has approached this Court by way of
present writ petition under Articles 226/227 of the Constitution of India,
seeking a writ in the nature of Certiorari, for quashing of the impugned
order.

Learned counsel for the petitioner, at the very outset, submits
that he does not intend to press this petition on merits involved in the
dispute raised by respondent No.2. He further submits that the only prayer
he intends to make at this stage, is that petitioner may be granted one last
and final opportunity to lead and close his remaining evidence on the next

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authenticity of this document

date of hearing already fixed before respondent No.1, i.e. 26.9.2016, for which the petitioner is ready to bear reasonable costs.

Having heard learned counsel for the petitioner and after going through record of the case, this Court is of the considered opinion that in the totality of facts and circumstances of the case and keeping in view interest of justice, one last and final opportunity, however, subject to payment of costs, deserves to be granted to the petitioner. Accordingly, the Commissioner under Employee's Compensation Act, 1923, Faridabad-respondent No.1, is directed to allow the petitioner to lead and close his evidence on the date already fixed, i.e. 26.9.2016, subject to payment of ₹30,000/- as costs, which shall be paid by the petitioner by way of bank draft in the name of respondent No.2-Sanjay Gupta, before leading his evidence on 26.9.2016.

However, it is also made clear that if the petitioner does not appear on 26.9.2016 before respondent No.1, impugned order dated 11.5.2016 (Annexure P-2) shall automatically come in operation against the petitioner and he shall not be entitled for any further indulgence, at the hands of respondent No.1.

With the abovesaid observations made and directions issued, instant writ petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

8.9.2016
Ak Sharma

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No