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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5639/2016 &

M.S. VIGILANT SECURITY PLACEMENT
DETECTIVE SERVICES PVT. LTD.

..... Petitioner

Through: Mr. Puneet Saini, Advocate.

versus

THE CENTRE BOARD OF TRUSTEE & ANR.

..... Respondents

Through: Mr. Shivanath Mahanta, Advocate for
R-1 & R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **10.06.2016**

C.M. Appl. No.23387/2016

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P. (C) No.5639/2016 & C.M. Appl. No.23387/2016

The petitioner has filed the present petition impugning order dated 30.05.2016 whereby the review application of the petitioner was dismissed. Consequent to the dismissal of the review application even the appeal was dismissed. It is contended that son of the advocate of the petitioner had suffered a spinal injury on account of which he was being treated and was initially hospitalised. On 30.05.2016, when the matter was listed before the Tribunal, the counsel for the petitioner had to accompany his son to Mohali as he had to appear in an examination and could not travel on his own

without assistance of his father. In the Tribunal, request for adjournment was made, however the request was turned down. Copy of the medical report of the son has been filed and original has been produced in Court.

All that petitioner is seeking, is consideration of the review on merits. The petitioner could not be properly represented on account of the inability of the counsel for the petitioner. In view of the averments stated in the petition, the petition is allowed. The review petition as well as the appeal dismissed by the impugned order are restored to their original number. The parties shall appear before the Employees Provident Fund Appellate Tribunal in the first instance on 07.07.2016. The Tribunal may take up the matter on 07.07.2016 or fix an appropriate date for hearing. The Tribunal shall endeavour to expeditiously dispose of the review application.

The writ petition is disposed of.

Dasti under signatures of court master.

**SANJEEV SACHDEVA
(VACATION JUDGE)**

JUNE 10, 2016

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