

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

CR No.8763 of 2016

Date of decision : 24.07.2017

Gattu Tagore

...Petitioner

Versus

M/s Sidel India Pvt. Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL.

Present: Petitioner in person.

Ms. Ambika Bedi, Advocate for the respondent.

ANIL KSHETARPAL, J. (ORAL)

This Revision Petition has been filed by the workman against the order dated 08.03.2016. The Labour Court, Gurgaon dismissed the application filed by the workman for additional evidence.

The application for permission to lead the additional evidence was dismissed on the ground that workman was not able to prove that he was not having knowledge of the aforesaid documents.

Workman had filed an application for leading additional evidence. No reply was filed. Additional evidence was in the shape of documents including E-mails, Income Tax Returns, copy of visa for Italy and xerox copy of Industrial Disputes Act. Rules of procedures are handmade for justice. Workman is certainly required to be given more liverage. The Labour Court is not to bound itself to the procedure laid down

in the Code of Civil Procedure. The Labour Court has been constituted to do the substantive justice between the parties. Therefore, in the interest of justice, workman ought to have been granted permission to lead an additional evidence.

The order passed by the Labour Court on 08.03.2016 is hereby set aside. Present revision petition is accordingly, allowed.

Petitioner-workman is granted an opportunity to lead evidence as prayed for.

24.07.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No