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

+ **FAO 82/2017 & CM No.6054/2015 (stay)**

THE NATIONAL INS CO LTD

..... Appellant

Through: Mr. S.P.Jain, Mr. Himanshu Gambhir
and Ms. Amandeep, Adv.

versus

DHARA SINGH & ANR

..... Respondents

Through: Mr. Manmohan Yadav, Adv.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% 16.10.2017

1. After arguments, this appeal is disposed of by setting aside the impugned judgment dated 15.12.2016 inasmuch as it is noticed that claim petition was allowed without the claimant/respondent no.1 having filed any evidence in support of his case.

2. Accordingly, while setting aside the impugned judgment dated 15.12.2016 it is directed that the Employee's Compensation Commissioner will now decide the case after permitting the parties to lead evidence. The Employee's Compensation Commissioner is requested to make earnest endeavour to ensure that the case is disposed of within a period of six months of the concerned Commissioner receiving the copy of today's order.

Trial court record be sent back to the concerned commissioner when a requisition is received from the concerned commissioner.

3. Copy of this order be given *dasti* to counsels for the parties.

VALMIKI J. MEHTA, J

OCTOBER 16, 2017

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