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

+ W.P.(C) 3739/2015, CM Appln. 6676/2015

COMMISSIONER OF CUSTOMS
(AIR CARGO EXPORTS)

..... Petitioner

Through: Mr. Sanjeev Narula, Sr. Std. Counsel,
CBEC with Mr. Abhishek Ghai,
Advocate

versus

MAHAVIR SINGH

..... Respondent

Through: Mr. Saurabh Kansal, Advocate

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **02.03.2017**

1. The petitioner has challenged Ex-parte Award dated 5th June, 2014 whereby the Industrial Tribunal awarded compensation of Rs.50,000/- to the respondent.
2. Learned counsel for the petitioner submits that the petitioner was proceeded *ex parte* by the Industrial Tribunal due to negligence of the counsel after the filing of the written statement.
3. This Court is of the view that it is in the interest of justice to set aside the impugned Award and permit the petitioner to contest the proceedings before the Industrial Tribunal.
4. The writ petition is allowed and impugned Award is set aside. Pending application stands disposed of.
5. The parties shall appear before the Industrial Tribunal on 20th March, 2017. Learned Industrial Tribunal shall fix the case for cross examination of respondent's witnesses.
6. Considering that this case relates to a reference made in the year 2010,

learned Industrial Tribunal shall expedite the proceedings and endeavour to conclude the same within a period of 8 months from today.

7. Copy of this order be given *dasti* to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

MARCH 02, 2017

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