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

+ **FAO 194/2017 and C.M. Nos.15992/2017 (for condonation of delay)
& 15993/2017 (exemption)**

MOHD FAHEEM

..... Appellant

Through: **Mr. Raj Kumar Gupta, Advocate.**

versus

EXECUTIVE ENGINEER (CPWD) & ORS

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% 28.04.2017

1. This appeal is disposed of as not pressed, but liberty is granted to the appellant in accordance with Rule 41 of the Workmen's Compensation Rules, 1923 to seek setting aside of the impugned judgment dated 14.12.2016 inasmuch as it is argued that the appellant was not served in the proceedings before the Commissioner (North-West) who passed the impugned judgment and decree and appellant was only served in the proceedings before the Commissioner (Central).

2. Without in any manner opining as to the merits of the application to be filed, this appeal is disposed of as not pressed with liberty

in accordance with law to the appellant to file an application for setting aside of the judgment dated 14.12.2016 which according to the appellant is *exparte*.

VALMIKI J. MEHTA, J

APRIL 28, 2017
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