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

+ **FAO 210/2017 & CM No.17118/2017 (Stay)**

SUSHIL KUMAR

..... Appellant

Through : Mr.Vaibhav Agnihotri, Advocate.

versus

STATE OF GNCTD & ANR

..... Respondents

Through : Mr.Aashish George with Mr.Nihit Dalmia,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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29.11.2017

1. Learned counsel for respondent No.2 has no objection if the appellant is given permission to examine his witnesses before the Court of Commissioner Employee Compensation, Labour Department, Government of NCT of Delhi.

2. On perusal of the impugned order, it reveals that when the appellant's right to cross-examine the witness was closed, the matter was listed for final disposal without giving any opportunity to the appellant to examine his witnesses.

3. Since the appellant was not accorded any opportunity to produce his evidence, the appeal is allowed and the appellant is given

opportunity to examine all his witnesses at his responsibility on two dates before the competent authority.

4. The amount deposited before the Commissioner by the appellant shall not be released to the claimants.

5. The appeal and all pending application(s) stand disposed of.

6. Parties shall appear before the competent authority on 5th January, 2018.

S.P.GARG, J.

NOVEMBER 29, 2017/sa