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

+ W.P.(C) 10643/2016 & CM 41718/2016

THE HONGKONG AND SHANGHAI
BANKING CORPORATION LTD.

..... Petitioner

Through: Mr.Sumit Bansal, Mr.Ateev Mathur,
Ms.Jagriti Ahuja, Mr.A.P.S. Sehgal,
Mr.Amol Sharma, Advs.

versus

GITA RAJAGOPALAN

..... Respondent

Through: Mr. Feroze Ahmad, Adv.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **08.05.2017**

1. The petitioner has challenged the order dated 19th September, 2016 on the short ground that an additional issue be framed as to whether the respondent is a “workman”.
2. Learned counsel for the respondent submits that the framing of an additional issue will further delay the proceedings. Learned counsel for the respondent however has no objection to the consideration of the aforesaid objection by the Labour Court at the stage of final hearing and a finding to be given with respect to the said objection.
3. With the consent of both the parties, learned Labour Court is directed to consider the petitioner’s objection that the respondent is not a ‘workman’ at the stage of final arguments and record a finding. The parties are permitted to lead the evidence on this objection.
4. This writ petition is disposed of in the above terms. The pending application is disposed of.
5. The Trial Court record be returned back forthwith along with copy of

this order.

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

J.R. MIDHA, J.

MAY 08, 2017

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