

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

C.M.A.No.2432 of 2004

JUDGMENT:

This appeal, under Section 30 of the Workmens' Compensation Act, 1923, is filed by the appellant-applicant, challenging the order, dated 18.09.2000, passed in W.C.No.161 of 1995 (F), by the Commissioner for Workmens' Compensation and Assistant Commissioner of Labour, Ranga Reddy Circle-II, whereby, the application filed by the appellant-applicant seeking condonation of delay of 693 days in filing the petition to set aside the order of dismissal of the claim petition for default, was dismissed.

2. Heard the learned counsel for the appellant-applicant, the learned Standing Counsel for the 2nd respondent-Insurance Company and perused the record.

3. The learned counsel of the appellant-applicant would contend that the appellant-applicant filed an application before the Assistant Commissioner of Labour seeking condonation of delay of 693 days in filing the petition to set aside the order of dismissal of the claim petition for default. The said petition was dismissed Assistant Commissioner of Labour without assigning any reasons and ultimately prayed to set aside the Order under challenge by allowing the appeal.

4. On the other hand, the learned Standing Counsel for the 2nd respondent-Insurance Company would contend that the learned Assistant Commissioner of Labour assigned valid reasons in dismissing the application for condonation of delay. There are no

circumstances to interfere with the same and ultimately prayed to dismiss the appeal by confirming the Order under challenge.

5. In view of the rival contentions of the learned counsel for both sides, the only point that arises for consideration in this appeal is whether the impugned order is liable to be set aside.

6. The Assistant Commissioner of Labour dismissed the application for condonation of delay of 693 days in filing the petition to set aside the order of dismissal of the claim petition for default. The petitioner has not assigned valid reasons to condone the delay of 693 days in his application. So, the appeal is devoid of merit and is liable to be dismissed.

7. In the result, the appeal is dismissed. No costs.

Miscellaneous Petitions pending, if any, shall stand closed.

09th July, 2018
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Dr. SHAMEEM AKTHER, J

