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

+ **LPA 650/2018**

ASHOK KUMAR Appellant

Through: Mr. Suman Kumar Diwakar,
Mr. Bhupendra Kr. Bhardwaj, and
Mr. Rajneesh Bhaskar, Advocates.
versus

DELHI TRANSPORT CORPORATION & ORS. Respondents

Through: Ms. Avnish Ahlawat Standing
Counsel with Mr. N.K. Singh and
Ms. Aarushi, Advocates.

CORAM:
JUSTICE S. MURALIDHAR
JUSTICE SANJEEV NARULA

% **ORDER**
26.11.2018

CM APPL. 48614/2018 (Exemption)

1. Exemption allowed, subject to all just exceptions.

CM APPLs. 48612-48613/2018 (delay)

2. For the reasons stated in the application, the delay in filing the appeal is condoned and the applications are disposed of.

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3. From the impugned order it is clear that the Appellant-workman was not represented before the learned Single Judge. The impugned order was

passed ex-parte order.

4. The circumstances explained by the Appellant before this Court for his inability to be represented before the learned Single Judge appear to be plausible and acceptable.

5. In that view of the matter, the impugned order of the learned Single Judge is set aside. W.P.(C) 6444/2002 is restored to the file of the learned Single Judge and is peremptorily listed before the learned Single Judge for directions on 10th December 2018. Both parties, i.e. the Appellant and the DTC, shall remain present before the learned Single Judge on that date. The learned Single Judge is requested to dispose of the writ petition after hearing the parties not later than six months thereafter on the basis of the existing pleadings and any further documents which the parties may file,

6. The appeal is allowed in the above terms.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 26, 2018

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