

C.M.P.No.12518 of 2019 in C.M.A.No.SR2939 of 2019T.RAJA, J.

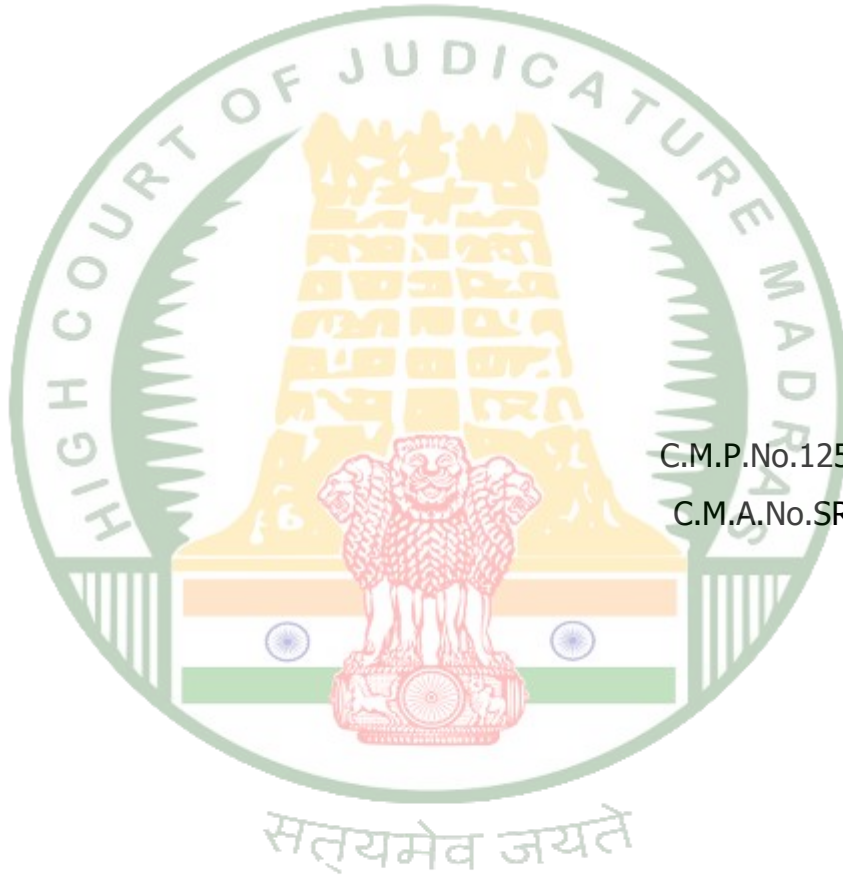
This civil miscellaneous petition has been filed to condone the huge and unexplained delay of 378 days in filing the C.M.A.No.SR2939 of 2019 against the order and decree dated 9.10.2017 passed in E.I.O.P.No.36 of 2013 by the Employees Insurance Court (Principal Labour Court), Chennai.

2. Learned counsel for the petitioner submitted that after the impugned decretal order was passed, the counsel who conducted the case before the ESI Court, being an elderly person, was unable to attend the Court due to his ill-health. In that process, the order copy was not obtained in time. Hence, there has been a delay of 378 days in filing the appeal.

3. It is not known how the petitioner-private employer can take a plea that after entrusting the matter with their counsel, they can say that since the counsel was an octogenarian, he was unable to appear. The petitioner should have taken more care and for about 378 days, they have completely forgotten to contact the counsel. That shows that the petitioner does not want to prosecute the matter seriously with all responsibility. Hence, finding no sufficient cause to condone the huge delay, this Court is not inclined to entertain the civil miscellaneous petition. Therefore, C.M.P.No.12518 of 2019 stands dismissed.

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