

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CM-9330-CII-2021 IN/AND
CR-714-2021 (O&M)**
Date of decision : 07.10.2021

HDFC ERGO General Insurance Co. Ltd.

...Petitioner(s)

Versus

Commissioner-cum-Deputy Labour
Commissioner and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Shiv Kumar, Advocate,
for the applicant-respondent Nos.2 to 5.

Mr. Sanjeev Kodan, Advocate,
for the non-applicant/petitioner.

MAHABIR SINGH SINDHU, J.

CM-9330-CII-2021

Application for preponing the date of hearing in the main case
which is fixed for 17.12.2021.

For the reasons mentioned in the application and with the
consent of both sides, the application is allowed. Main case is preponed
from 17.12.2021 and taken up on Board today itself.

Main case

This petition under Article 227 of the Constitution has been
filed, *inter alia*, for issuance of direction to learned Commissioner to

provide reasonable opportunity to the petitioner to lead evidence and cross-examine the witnesses.

Learned counsel for the petitioner, while making reference to the *zimni* orders extracted in para No.11 of the petition, argued that learned Commissioner has shown undue haste in the matter and despite repeated asking, certified copy of the orders were also not supplied.

The sequence of events reproduced clearly depicts that although, the procedure is not unusual, but at least reasonable opportunity ought to have been granted to the petitioner-company to project its case so that appropriate decision is taken in the matter.

In view of the above, this Court is left with no option but to accept the prayer. As a result thereof, the instant petition is allowed; impugned order dated 15.03.2021 to the extent of closing the evidence of the respondents, is set aside. Petitioner is granted two effective opportunities to conclude their entire evidence including cross-examination, if any.

07.10.2021
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No