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

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Judgment delivered on: 04.03.2021

+ W.P.(C) 2863/2021

LIVING MEDIA INDIA LIMITED

..... Petitioner

versus

PRITHVI RAJ

.....Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Prem Singh, Advocate.

For the Respondent: Mr. Fidel Sebestian, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL.8634/2021(exemption)

Exemption is allowed subject to all just exceptions.

W.P.(C) 2863/2021 & CM APPL.8635/2021(stay)

1. The hearing was conducted through video conferencing.
2. Petitioner impugns order dated 18.02.2021 whereby the right of the petitioner to cross-examine the workman has been closed.
3. Learned counsel for the petitioner submits that there was an ambiguity with regard to the affidavit which was tendered by the workman and because of which the cross-examination could not be

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conducted on the said date.

4. Learned counsel for respondent submits that order dated 18.02.2021 shows that the affidavit of evidence had already been tendered before the said date and respondent had failed to conduct the cross-examination. Without prejudice, he submits that he has no objection to the Writ Petition being allowed and one opportunity being granted to the petitioner to cross-examine the workman, subject to petitioner being put to terms.

5. In view of the above, the Writ Petition is allowed. Order dated 18.02.2021 is set aside. Petitioner is given one opportunity to cross-examine the workman, subject to payment of costs of Rs.10,000/- to the respondent.

6. Further, the Labour Court is directed to expedite the proceedings and dispose of the same expeditiously, preferably within a period of six months from the next date of hearing before the Trial Court.

7. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J

MARCH 4, 2021

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