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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.03.2023

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THE HON'BLE MR.JUSTICE **M.S.RAMESH**

W.P. No.22365 of 2021 and W.M.P. No.23609 of 2021

The Management,
M/s.Jupiter Medical Equipments
Manufacturer Private Ltd.,
rep. by its Director Mr.Nikil Saberwal

.. Petitioner

Vs

S.Chiranjeevi

.. Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari calling for the entire records in pursuant to the impugned order dated 16.09.2021 in E.A. No.4 of 2021 in E.A. No.1 of 2019 in E.P. No.14 of 2018 passed by the Additional Labour Court, Coimbatore and quash the same.

For Petitioner : Mr.A.Deivasigamani

For Respondent : Mr.S.Saravanan

ORDER

This writ petition has been filed, challenging the impugned order dated 16.09.2021 passed by the Additional Labour Court, Coimbatore in E.A. No.4 of 2021 in E.A. No.1 of 2019 in E.P. No.14 of 2018.

2.The Management was set exparte in the Execution Petition in E.P.



No.14 of 2018 filed in I.D. No.125 of 2010. As against the same, the petitioner had filed two Applications in E.A. Nos.3 and 4 of 2021 seeking for condonation of delay of 254 days in filing the application to set aside the exparte order as well as for setting aside the exparte order. Through the impugned order dated 16.09.2021, E.A. No.4 of 2021 in E.A. No.1 of 2019 seeking to condoning the delay to set aside the exparte order was allowed on condition that the Management deposits the entire award amount on or before 04.10.2021, failing which the application would stand automatically dismissed.

3.Learned counsel for the Workman submitted that the Management has not deposited the award amount till date before the Labour Court.

4.The impugned order passed in E.A. No.4 of 2021 is a self speaking order, as per which the failure on the part of the Management to deposit the award amount on or before 04.10.2021, would render the application dismissed.



5. In view of the statement made by the learned counsel for the Workman that the Management has not deposited the award amount on or before 04.10.2021, the application is deemed to have been already dismissed. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected M.P. stands closed.

20.03.2023

Index : Yes
vga

To

The Additional Labour Court,
Coimbatore.



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M.S.RAMESH,J.

vga

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