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

+ **W.P.(C) 9789/2024 & CM Appl.40157/2024**

M/S SIKKA MOTORS PVT LTDPetitioner

Through: Ms. Amrita Mishra, Mr. Ravi Mishra
and Ms. Jyoti Sharma, Advs.

versus

MS POPAL AHUJA & ANR.Respondents

Through: Mr. Adv. for R-1 [appearance not
given]
Mr. Tushar Sannu, ASC with Mr.
Shobhan Sachdeva, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

21.08.2024

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1. The grievance of the Petitioner as articulated in the present Petition is that an additional issue was framed and adjudicated upon on the same day by the learned Labour Court without giving any opportunity to lead any evidence with regard to such issue.
2. Learned Counsel for Respondent No.1/Workman submits that in proceedings before the learned Labour Court, the Respondent No.1/Workman has been already cross-examined and that her evidence is already closed.
3. Learned Counsel for the Petitioner submits that the Petitioner does not intend to re-open the cross-examination of Respondent No.1/Workman but only wishes to place on record its own evidence in the matter in respect of the additional issue framed by the learned Counsel on 01.02.2024 which is “whether the Claimant is a Workman as defined under the Industrial Disputes Act, 1947 ? OPW”.



4. Learned Counsel for the Petitioner on instructions also submits that there is no further requirement of cross-examination of the Respondent No.1/Workman before the learned Trial Court. It is further contended that the proceedings before the learned Trial Court will not be delayed by the Petitioner and no unnecessary adjournments shall be taken by the Petitioner.

4.1 The statement of learned Counsel for the Petitioner is taken on record.

5. In view of the foregoing circumstances and with the consent of the parties, the Impugned Order dated 01.02.2024 passed by the learned Labour Court to the extent that it closes the right of the Petitioner to lead evidence on the Additional Issue is set aside. The Petitioner is also permitted to lead and conclude the evidence in support of its submissions.

6. The Petition and all pending Applications are disposed of in the foregoing terms.

7. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

AUGUST 21, 2024/r

Click here to check corrigendum, if any