



\$~129

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

+ W.P.(C) 3556/2025 CM APPL. 16609/2025 CM APPL. 16610/2025
RAHUL GHAIPetitioner

Through: Ms. Urvi Mohan, Mr. Naman Jain,
Advocates.

versus

MEDICAL SUPERINTENDENT, GURU GOBIND SINGH
HOSPITAL AND ORS.Respondent

Through: Mr. Abhishek Saket, SPC with Mr.
Sanjay Pal, GP, Mr. Manish Madhukar
and Mr. Amruta Padhi, Advocates for
respondent no.4.
Ms. Shristy Singh, Advocate.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
21.03.2025

%

1. This petition has been filed to set aside the order dated 19th February 2025 passed by the Labor Court, Rouse Avenue, in *LID No. 263/2021*.
2. The Industrial Adjudicator has dismissed the petitioner's application for production of documents and fixed the matter for final arguments on 22nd March 2025.
3. It is stated that an application was filed on 31st August 2024, for summoning of management witness with requisite records.
4. On that day, the Industrial Adjudicator directed that the application be kept in abeyance till the next date, since it had not been moved sufficiently in



advance.

5. In the meantime, workman's evidence was concluded on 5th October 2024 and matter was listed for management evidence on 30th November 2024.

6. The matter was, thereafter, listed at the behest of the management, on 07th January 2025.

7. On 7th January 2025, it was noted that there was a note by the *Ahlmad* that the Presiding Officer was on leave, as also that, “*an application for directing the managements for production of necessary documents which are in their possession has been filed on behalf of the workman*”

8. On 19th February 2025, the factum of filing of the said application was raised by the workman.

9. The impugned order notes that the submissions on the application were heard, however, the application was dismissed on the basis that the issues were settled on 19th July 2024 and the workman had concluded evidence on 05th October 2024 and the witnesses on behalf of the managements had already been examined.

10. In the opinion of this Court, considering that the application was moved previously in August 2024 and had been kept in abeyance, the reasoning given by the impugned order is not correct.

11. The recording of evidence of the workman and the management cannot be placed as a *fait accompli*, in order to deprive the right for summoning of documents from the management.

12. Accordingly, the impugned order, to that extent, is set aside.

13. The application in question will have to be dealt on merits by the Labour Court.

14. Parties will have the right to argue their respective contentions in this



regard.

15. List the matter before the Labour Court on 22nd March 2025, the date when the matter has been otherwise put up for final arguments.
16. Final arguments, accordingly, will stand deferred to a subsequent date, after the application has been decided.
17. Petition is disposed of.
18. *Dasti* under signatures of the Court Master.
19. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 21, 2025/RK/kp