

Sh Umresh Kumar Mishra Nos

v/s

Prachin Shiv Mandir & Dharamshala

10/02/2021

None for claimant.
for resp Sh. Ashish K Yadav Advt.

Issue summons to claimant for affiance on
23/03/2021 at 10:00 AM

23/03/2021

for claimant Sh. Parkej Tripathi Advt with claimant
for resp Sh. Ashish K Yadav Advt.

Matter adj' submission heard. matter
adj' for. 01/04/2021 at 10:00 AM.

उमेश कुमार मिश्रा

01/04/2021

for petitioner Sh. Parkej Tripathi Advt aligns
claimant in person.
for resp None part.

Resp. had filed app dt 13/01/2020
under order of Rule 7 to set aside order
dt 28/11/11 & subsequent dt 25/9/2013. Respondent there in stated

At this stage
Sh. Parvin Rao & Sh. Ashish K
Yadav both resp
appeared at 12:30 PM
and noted the contents
of order dt 04/2021

dt 28/11/11 & subsequent

that the Hon. J. J. Carrigan proceeded after
against the rep on 28/04/2011 & caught
the final order on 25/9/2013. Rep
submitted that non appearance of rep on
28/4/11 was with intention but no
notice was served upon respondent before
proceeding after on 28/04/2011. Further
submitted that as soon as rep came
to know about the proceeding & interim
order. Joint app. filed with prayer
that ex parte order be set aside.
Court for petition opened the

application & made oral order that
app is time barred bcz case has been
filed after 07 years meaning thereby
ex parte order dt. 28/4/11 & brought
within order 25/9/2013 & application

dt 13/01/2020 as such case is not
renewable & liable to be rejected.
as last date i.e. 22/23/03/2021
court for rep was sent & today with
was filed at court on application.
Rep't waited till 11:45 AM with
court was closed for being at 10:00 AM.
In absence of rep after
moving the court adduced by new

I found that application is time barred
as same has been filed after 10 years
of yrs which cannot be allowed in
any circumstances. Accordingly app. filed
by sup dt 13/1/2020 is dismissed.
Copy of order is given as send to the
petitioner. Also be also of loaded
as labour department website. file assign
PR.

01/4/21



For
for claimant
32/2/21