

05/01/2023

to claimant Smt. Neha proxy counsel
for R2 Sh. MK Antarey Adv. Pt. witness. Rajesh Kumar
for R1 Sh. Rajesh Kumar for legal work. Pt.

Matter on request of proxy counsel for claimant
matter adj^d for 10/01/2023 at 10:30 AM
This is last & final affidavit.

जेठा

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श्री.
R-2


Sr. LWF

10/01/2023

to claimant Sh. Rohit Jain Adv. Pt.
for R1 Sh. Rajesh Kumar for legal work. Pt.
for R2 Sh. A.K. Antarey Adv. Pt.

Today case was fixed for deciding issue
of maintainability on the basis of issue
framed for consideration of delay. Since this
case has been fixed after 15 yrs without
any condonation supporting documents. For
justifying delay after 15 yrs. while under
EC Act 1923 any employee can file for
claiming benefit within 2 yrs from the date
of occurrence of incident as per

Sec 10 (1) . During the proceedings
could for claimant sought many dates
to file the supporting docs for justifying
delay in support of his candidature affidavit
but no docs have been filed. Today
I could for further named aff dt 10/1/23
with respect to witnesses he can with
liberty to file afresh. I do not find
any justified ground that despite given
sufficient opportunities to claimant to file
supporting docs to justify delay, while the
case has been filed in the year 2018
and after the gap of 04 years aff.
has been placed for withdrawing &
liberty is not afforded justified to me
And why since the claimant failed to
justify the delay as such his issue
became highly fatal. & after sec 10(1)
SC Act 1923 delay can be condoned
upto 2 yrs & in rare cases if any
justified ground given by the claimant then
and why to the circumstances of the
case the issue of condoning of delay
may be considered by Authority.

But in this case no justified ground
 is found to allow the application.
 Hence the application is not allowed &
 case is not maintainable under the
 SC Act further no liberty is granted
 copy of orders be given to the parties as
 their report is also be uploaded
 on the website. All concerned PR.

Dr. P. S.
 to P.
 10/1/23
 10/1/23

R. S.

