



2025:DHC:7297



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 22nd, August, 2025***

+ CM(M) 3091/2024 & CM APPL. 43946/2024

SANTOSH KUMAR SHUKLA

.....Petitioner

Through: Mr. Pradeep Kumar Shukla, Mr.
Mukesh Joshi and Mr. Yuvan Raj
Gandhi, Advocates

versus

M/S. NIDAN MOULD PLAST & ANR.

.....Respondent

Through: Mr. Akarsh Sharma, Advocate for R-1
Ms. Vaishali Gupta, Panel Counsel
(Civil), GNCTD/R-2**CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. The point involved in the present petition is a very short one.
2. On 19.01.2024, Reference in question was taken up by the concerned learned Labour Court and one witness from the side of the Management appeared for the purposes of making deposition before the Court. It seems that workman was having reservation about the aforesaid witness as he wanted one Mr. Ramesh Chand Gupta to enter into witness box from the side of Management and did not want Mr. Ravish Gupta, whom the Management wanted to examine in their defence, to grace the witness box.
3. Fact remains that such request was disallowed and Mr. Ravish Gupta, same day, was examined and partly cross-examined also.
4. Since the authorized representative of workman was asking some irrelevant questions, the learned Labour Court asked him to confine to the



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relevant questions and it was at that stage that there was complete non-cooperation from the side of workman as he claimed that he did not want to further cross-examine the witness and insisted for adjournment to confront the witness with certain documents.

5. The learned Labour Court, however, noticing that there was no willingness from the side of workman to cross-examine the witness, turned down such request and discharged the witness.

6. Since Management was not inclined to examine any other witness, their evidence was closed and case was fixed for final arguments.

7. The limited request made in the present petition is to the effect that one last and final opportunity be granted to the workman to further cross-examine the aforesaid witness Mr. Ravish Gupta. It is submitted that if permission is declined, it would result in serious prejudice to the case and claim of the workman.

8. The aforesaid request has, however, been opposed by learned counsel for respondent no. 1/Management.

9. Next date before the learned Labour Court is stated to be 09.09.2025.

10. Keeping in mind overall facts of the case, the present petition is disposed with direction that workman shall be entitled to one last opportunity to further cross-examine said witness of the Management. Subject to the availability of the witness and if he appears before the learned Labour Court on 09.09.2025 itself, workman would be permitted to cross-examine said witness on aforesaid date itself. However, in case the witness is not available that day, workman shall come prepared for his cross-examination on the date, to be given in this regard by the learned Labour Court.

11. Petition stands disposed of in aforesaid terms.



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12. Pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 22, 2025/dr/pb