

**CMP(M) No. 1541 of 2016.**

**29.04.2017**

**Present:** Mr. Jagdish Thakur, Advocate for the appellant/  
applicant.

Mr. Raman Sethi, Advocate for respondents No. 1 to  
4.

As per report of the Registry, respondent No. 5 stands duly served, however, no one has put in appearance on his behalf. Accordingly, respondent No. 5 is proceeded against *ex parte*.

2. Neither any reply has been filed by respondents No. 1 to 4 to the said application nor any reply is intended to be filed.

3. I have heard learned counsel for the parties. Keeping in view the averments made in the application, the same is allowed as it is apparent from the averments made therein which are duly supported by the affidavit of the applicant that delay in filing the application is bonafide and not intentional. Even otherwise, it will be in the interest of justice in case delay is condoned and appeal is ordered to be heard on merit. The application stands disposed of in the above terms.

**CMP No. \_\_\_\_\_ of 2016**

4. This application is disposed of with a direction that the amount which stands deposited by the present applicant/appellant with the Commissioner under the Employee's Compensation Act shall be called for by the Registry of this

Court and put in fixed deposit and said amount shall not be released without the leave of this Court.

**FAO No. \_\_\_\_\_ of 2017**

5. **Admit.** Mr. Raman Sethi, learned counsel accepts notice on behalf of respondents No. 1 to 4. Notice to respondent No. 5 returnable for 27.06.2017 on taking steps for the service of said respondent by the appellant within a period of one week.

List on **27.06.2017**, as prayed for, before the appropriate Bench.

***Copy dasti.***

**(Ajay Mohan Goel)**  
**Judge**

29<sup>th</sup> April, 2017  
(narender)