

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

RAJENDRA MISTRY AND ENAURA BRIDAL
INC.,

Petitioners,

To Review Under Section 101 of the Labor Law:
An Order or Orders to Comply dated August 19, 2016,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 16-140

RESOLUTION OF DECISION

APPEARANCES

Rajendra Mistry, petitioner pro se, and for Enaura Bridal, Inc.

WHEREAS:

1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and the Industrial Board of Appeals Rules of Procedure and Practice (Board Rules) (12 NYCRR) § 66 on November 18, 2016, seeking to appeal an order or orders to comply issued by the respondent Commissioner of Labor; and
2. The petition is deficient because the order or orders to be reviewed are not attached as required by Board Rule (12 NYCRR) § 66.3 (d); and
3. By letter dated December 21, 2016, the Board notified petitioners that they must file an amended petition that conforms with Board Rule (12 NYCRR) § 66.3 by January 21, 2017, or the petition may be dismissed without further notice; and
4. Pursuant to Board Rule (12 NYCRR) § 65.14, “the failure to file any pleading pursuant to these rules when due may . . . constitute a waiver of the right to further participation in the proceeding”; and
5. Petitioners have not filed an amended petition as directed by the Board; and
6. The petition, therefore, must be dismissed for failure to comply with Board Rule (12 NYCRR) § 66.3 (d).

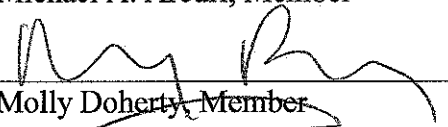
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

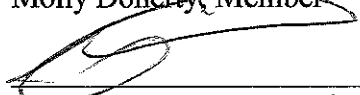
The petition for review is dismissed in accordance with the Board's Rules.



Vilda Vera Mayuga, Chairperson

J. Christopher Meagher, Member

Michael A. Arcuri, Member

Molly Doherty, Member

Gloribelle J. Perez, Member

Dated and signed by the Members
of the Industrial Board of Appeals
in New York, New York
on March 1, 2017.