

\$~8

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1238/2016 & C.M. APPL. No.5437/2016

M.A. AKHTAR & ANR. Petitioners

Through: Mr. Imran Ali, Advocate.

versus

DY. LABOUR COMMISSIONER

(DISTRICT SOUTH) LABOUR DEPARTMENT & ORS. Respondents

Through: Mr. Sanjoy Ghose, Advocate.

CORAM:

HON'BLE MR. JUSTICE V.P.VAISH

ORDER

% **14.03.2016**

The petitioner has filed the present petition under Article 226 of Constitution of India seeking setting aside of impugned order dated 11.01.2016 passed by Deputy Labour Officer in Comp/DLC/SD/2015.

Briefly stating the facts of the petition is that the wife of the petitioner namely Mrs. Shahna Akhtar, is the owner of the property bearing No.R-306, Jogabai Extension, New Delhi-110025. Mr. Mukhtar Ahmed, father of respondent No.2 is a tenant in one of the shops in property bearing No.R-306, Jogabai Extension, New Delhi-110025 and he stopped paying rent since July, 2015. The wife of petitioner sent a notice to vacate the premises to the father of respondent No.2 and also filed civil suit for ejectment. Mr. Mukhtar Ahmed filed a false and fabricated document i.e. alleged settlement dated 12.06.2015. On the basis of the said forged settlement, respondent

No.2 filed an application under Section 33C(1) of the Industrial Disputes Act, 1957 and respondent No.1 passed impugned order dated 11.01.2016 in the said application.

Mr. Sanjoy Ghose, learned counsel for respondent submits that application under Section 33C(1) of Industrial Disputes Act, 1947 filed by Fayyaz Ahmed, respondent No.2 has been dismissed by Deputy Labour Commissioner (South) vide order dated 08.03.2016. An affidavit of Deputy Labour Commissioner, District South along with copy of order dated 08.03.2016 have been filed and the same are taken on record. Copy of the same has been submitted to counsel for petitioner.

Mr. Imran Ali, learned counsel for the petitioner submits that the petitioner does not want to pursue the present petition as well as application and the same be dismissed as withdrawn.

Accordingly, the petition as well as application are dismissed as withdrawn.

V.P.VAISH, J

MARCH 14, 2016

hs