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

+ LPA 299/2016

LIVING MEDIA INDIA LTD.Appellant
Through Ms. Esha Mazumdar, Advocate

versus

DEPUTY LABOUR COMMISSIONER & ANR. Respondents
Through None

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **11.05.2016**

The present appeal is directed against the order of the Single Judge dated 09.05.2016 whereby notice was issued in WP(C) No. 4048/2016 returnable on 24.05.2016. The Single Judge already issued notice on interim application for stay.

It is contended that by declining or at least not granting an *ex-parte ad-interim* order, the appellant's rights have been prejudiced because the impugned order was made by the Deputy Labour Commissioner without jurisdiction. He did not possess the power to adjudicate the disputed question of fact under Section 17 (1) of the Working Journalists & other Newspaper Employees (Conditions of service) and Miscellaneous Provisions Act, 1955.

This Court is of the opinion that an appeal against the order is not maintainable. However, it is open to the appellant to move the Single Judge either for advancing or pre-poning the *ad interim* application; in case of such event, the Single Judge may conveniently consider the limitation of the submissions as to whether an *ad interim* order as sought by the appellant is warranted and make such orders as are appropriate in accordance with law.

The LPA is disposed of accordingly.

A copy of this order be given *dasti* to counsel for the appellant, under the signatures of the Court Master.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

MAY 11, 2016
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