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

% Judgment delivered on: 02.06.2023

+ CM(M) 985/2023 & CM APPLs. 31676-77/2023

M/S NNS ONLINE PVT LTD AND ORS Petitioners

versus

CHANDRA PRAKASH PANDEY Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Anish Aggarwal, Mr. Ankit Dubey and
Mr. Anil Kumar Maurya, Advocates

versus

For the Respondent : Respondent in person

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

1. After some arguments Mr. Aggarwal, learned counsel appearing for the petitioners submits that petitioners would be agreeable to file an affidavit of admission / denial of documents pertaining to the period from 01.06.2009 to 31.12.2013.

2. Mr. Aggarwal also submits that a competent witness who can depose in respect of aforesaid would also file his affidavit so as to enable the respondent to cross examine the said witness.

3. In view of the aforesaid submission of learned counsel appearing for the petitioners, this Court is of the opinion that the present petition



can be disposed of in the aforesaid statement.

4. The aforesaid documents are stated to have been already placed on record of the learned Presiding Officer, Labour Court (Hereinafter referred to as "POLC"). Competent witness will also file his evidence by way of affidavit in support of the aforesaid documents. Respondent shall be entitled to cross examine the said witness presented on behalf of the petitioner. The witness shall also file along with affidavit of examination in chief, the special power of attorney /power of attorney executed by the competent authority of the petitioner.

5. In view of the aforesaid submission, the affidavit may be filed at least four days before the next date of hearing before the learned POLC with an advance copy to the respondent who appears in person.

6. Mr. Pandey is permitted to cross examine the said witness on 03.07.2023 or soon thereafter as convenient to learned POLC .

7. The impugned order to the extent that it is summoning Mr. Rajesh Gupta shall stand set aside.

8. Notwithstanding the aforesaid directions, it goes without saying that the petitioner management is entitled to place on record its list of witnesses.

9. The petition is disposed of with no order as to costs.

10. Pending applications also stand disposed of.

TUSHAR RAO GEDELA, J .

JUNE 2, 2023/ms