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

+ CM(M) 195/2024, CM(M) 195/2024, CM APPL. 5971/2024—stay
MUNICIPAL CORPORATION OF DELHI & ANR. Petitioners
Through: Mr. Sanjeev Sagar, St. Counsel for
MCD with Ms. Nazia Parveen, Adv.

versus

SH. BABU Respondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **01.02.2024**

CM APPL. 5972/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 195/2024, CM(M) 195/2024, CM APPL. 5971/2024—stay

3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 08.01.2024 passed by the learned Labour Court, POLC-III, Rouse Avenue Courts, New Delhi, in LC No.315/2023 titled as “*Sh. Babu vs. Municipal Corporation of Delhi & Anr.*”, whereby the learned Trial Court had given one opportunity to Deputy Commissioner, MCD, Civil Line Zone to remain present before the learned Trial Court failing which the learned Trial Court issued non-bailable warrant (“NBW”) against the Deputy Commissioner, MCD, Civil Line Zone, Delhi. The petitioners herein is the managements before the learned Trial Court.
4. The learned counsel for the petitioner seeks liberty to withdraw the present petition with liberty to move an appropriate application seeking



cancellation of NBWs issued against Deputy Commissioner, MCD, Civil Line before the learned Trial Court.

5. Permission granted to withdraw.

6. Accordingly, the present petition along with the pending applications is disposed of with liberty to move appropriate application before the learned Trial Court.

7. In the meanwhile, the NBWs issued against Deputy Commissioner vide impugned order passed 08.01.2024 passed by the learned Trial Court is stayed till the disposal of the application by the learned Trial Court.

SHALINDER KAUR, J.

FEBRUARY 01, 2024/SDS