



2024:DHC:7279



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 17.09.2024

+ W.P.(C) 8012/2024 & CM APPL. 32971/2024 and CM APPL. 33066/2024

M/S TREND SETTERS BOOKS LTDPetitioner

Through: Mr. Gurbaksh Singh, Adv. with Mr.
Arjun Dhamija, Adv.

versus

LOKESH SHARMA

.....Respondent

Through: Mr. Rajesh Kumar Singh, Adv.

CORAM:**HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)****CM APPL. 32971/2024 [Exemption]**

1. Allowed, subject to all just exceptions.

1.1 The Application is disposed of.

W.P.(C) 8012/2024 & CM APPL. 33066/2024 [Stay]

2. Notice in this Petition was issued by this Court on 29.05.2024.

3. The grievance of the Petitioner as set out in the present Petition is that he was denied the opportunity of cross-examination of the Respondent/ Workman in terms of the Impugned Order dated 08.04.2024 passed by the learned Labour Court.

4. Learned Counsel for the Petitioner submits that, at present, the proceedings in *LIR/2322/2019* titled as *Lokesh Sharma v. M/s Trend Setters Books Ltd.* are still going on before the learned Labour Court.

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5. Learned Counsel for the Petitioner submits that the original documents which he wanted to confront the Respondent/Workman with, were lying in his office which had been sealed by the Punjab National Bank. Now, after filing an appropriate Application, the original documents have been obtained by him and, thus, he is in a position to confront the Respondent/Workman with these documents.

6. Learned Counsel for the Petitioner submits that as is stated in his Petition, he only requests one opportunity to cross-examine the Respondent/Workman before the learned Labour Court. He further submits no adjournment shall be taken by him in the pending proceedings before the learned Labour Court.

7. Learned Counsel for the Respondent/Workman submits that he has no objection to the same provided that the cross-examination happens on one date and no further adjournment is taken by the Petitioner.

7.1 Learned Counsel for the Petitioner, on instructions, agrees with the same.

8. Accordingly and with the consent of parties, the order dated 08.04.2024 passed by the learned Labour Court is set aside. The Petitioner is given an opportunity to cross-examine the Respondent/Workman on the next date of hearing. No unnecessary adjournment shall be taken by the Petitioner.

9. All rights and contentions of both the parties are left open in this regard.

10. The litigation expenses in the sum of Rs. 10,000/- shall be paid to the Respondent/Workman on the next date of hearing before the learned Labour Court.



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11. The Petition and all pending Applications stand disposed of.
12. Parties will act based on the digitally signed copy of the order.

SEPTEMBER 17, 2024

TARA VITASTA GANJU, J

Click here to check corrigendum, if any

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