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

+ **W.P.(C) 15358/2024, CM APPL. 64418/2024 & 64417/2024**

RAJEEV BAKSHI

.....Petitioner

Through: Mr. Rohit Bansal, Advocate

versus

RAJENDER SINGH & ORS

.....Respondents

Through: Mr. Mani Tripathi, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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04.11.2024

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 64416/2024 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 15358/2024

2. Since the petitioner opted not to file any reply to the claim petition, the concerned authority under the Payment of Gratuity Act passed an ex-parte order. Admittedly, no appeal in accordance with law has been filed. Learned counsel for petitioner submits that he does not challenge the order passed by the concerned authority under the Payment of Gratuity Act, but only the execution proceedings since the petitioner Shri Rajeev Bakshi cannot be held personally liable, though he admittedly is one of the Directors of the employer company M/s. Seasky Pvt. Ltd. However, the final order (*pdf page 35*) bears name of Shri Rajeev Bakshi as respondent. In this regard, learned counsel for petitioner refers only to the claim petition and no further proceedings of the concerned authority.



3. Learned counsel for petitioner contends that the petitioner had filed objections in the execution proceedings being conducted by respondent no.2/SDM but the objections filed on 17.09.2024 have not been disposed of. Learned counsel for respondent no.2 appearing on advance intimation submits that they are awaiting the comments from respondent no.2.

4. At this stage, learned counsel for petitioner as well as counsel for respondent no.2 submit that the present petition can be disposed of with directions to the respondent no.2/SDM to pass appropriate orders on the objections filed by petitioner on 17.09.2024.

5. Accordingly, the petition is disposed of, directing the respondent no.2/SDM to pass appropriate orders on the objections filed by the present petitioner on 17.09.2024 within two weeks from today. In order to rule out any confusion, counsel for petitioner undertakes to supply a fresh copy of the said objections to counsel for respondent no.2/SDM during the course of the day. Ofcourse, depending upon the decision of the respondent no.2/SDM on the said objections, the petitioner shall have right to institute appropriate proceedings in accordance with law.

6. Pending applications also stand disposed of.

GIRISH KATHPALIA, J

NOVEMBER 4, 2024/rk

[Click here to check corrigendum, if any](#)