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

+ **W.P.(C) 7716/2024**

ANIL VERMA

.....Petitioner

Through: Ms. Neha and Mr. Kunal, Advocates.

versus

THE CONTROLLING AUTHORITY UNDER PAYMENT OF
GRATUITY ACT 1972

.....Respondent

Through: Ms. Avni Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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23.01.2025

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

W.P.(C) 7716/2024 & CM APPL. 32065/2024 (stay)

1. The petitioner sought quashing of summons dated 09.01.2024 issued by the Controlling Authority under the Payment of Gratuity Act. It was contended on behalf of petitioner that proceedings were carried out before the Controlling Authority in which the management participated till end and a final order was passed. Thereafter, the management filed an application under Order IX Rule 7 CPC on which summons were issued to the petitioner. According to the petitioner, after passing of final order, the Controlling Authority became functus officio. This petition came up for preliminary hearing for the first time before predecessor bench on 27.05.2024. Today for the first time, the matter came up before me.

2. Today, it is informed by learned counsel for petitioner that the learned Controlling Authority has stayed the recovery proceedings granting liberty



to the management to file appeal and the appeal has now been filed.

3. Under these circumstances, learned counsel for petitioner seeks permission to withdraw this petition with liberty to file fresh appropriate proceedings in accordance with law. The petition and the pending application are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

JANUARY 23, 2025/ry

Click here to check corrigendum, if any