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

+ **W.P.(C) 119/2025**

OTIS ELEVATOR COMPANY (INDIA) LIMITEDPetitioner

Through: Mr. Apoorv Kurup, Senior Advocate
with Mr. Raj Dev Singh, Advocate.

versus

THE JOINT LABOUR COMMISSIONER & ORS.Respondents

Through: Counsel for respondents (appearance
not given)

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

08.01.2025

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

CM APPL. 450/2025 (exemption)

1. Allowed, subject to all just exceptions

W.P.(C) 119/2025 & CM APPL. 449/2025 (stay)

2. The petitioner has challenged the rejection of amendment of Registration Certificate issued under the Contract Labour (Regulation and Abolition) Act, 1970. It is contended on behalf of petitioner that the rejection order, annexed as Annexure P-12 suffers complete non application of mind and simultaneously, prosecution under Section 23 of the Act has commenced vide notice Annexure P-13.

3. Learned counsel for respondents appearing on advance intimation accepts notice and points out the appellate remedy available to the petitioner under Section 15 of the Act. So far as the issue of prosecution is concerned, Annexure P-13 is only a pre cursor to the same in the form of notice.



4. After addressing partly, learned senior counsel for petitioner on instructions, seeks permission to withdraw this petition with liberty to file appropriate appeal before the concerned authority and also seeks protection from notice Annexure P-13 till the issue is taken up by the appellate authority.

5. Accordingly, the petition and the accompanying application are dismissed as withdrawn with liberty as sought, provided the appeal is filed within 10 days from today and it is directed that till the appeal is taken up, no coercive process in furtherance of notice Annexure P-13 (notice dated 08.10.2024) shall be taken.

GIRISH KATHPALIA, J

JANUARY 8, 2025/ry

Click here to check corrigendum, if any