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

+ CRL.M.C. 2838/2024

M/S CELEBI AIRPORT SERVICES

INDIA PVT LTD

..... Petitioner

Through: Mr. Mayank Sharma, Adv.
(through VC)

versus

THE STATE

..... Respondent

Through: Mr. Utkarsh, APP for the
State with Mr. Shailash
Aggarwal, Adv.
Mr. Ruchir Mishra, Mr.
M.K. Tiwari & Ms. Reba
Jone Mishra, Advs. for
UoI

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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08.04.2024

CRL.M.A. 10785/2024 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.A. 10786/2024 (for condonation of delay)

3. For the reasons mentioned in the application, the delay of 26 days in re-filing the petition is condoned.
4. The application stands disposed of.

CRL.M.C. 2838/2024

5. The present petition is filed seeking quashing of the summoning order dated 04.05.2022, passed by the Judge Evening Court under Sections 23 and 24 of the Contract Labour (Regulation & Abolition) Act, 1970 ('the Act').
6. The petitioner also seeks quashing of the Criminal Complaint Case No. 629/2022, pending before the learned Metropolitan Magistrate, Patiala House Court, New Delhi.



7. The learned counsel for the petitioner submits that the provisions of the Act are not applicable against the petitioner.
8. He submits that the complaint has been filed stating that the petitioner is a Contractor as defined under Section 2(1)(c) of the Act.
9. He submits that the workforce employed by the petitioner are regular employees and are not contract labourers so as to attract provisions of Sections 23 and 24 of the Act.
10. Issue notice.
11. Mr. Ruchir Mishra, learned Counsel, who is present in Court, is requested to accept notice for of Respondent No. 1.
12. Reply, if any, be filed before the next date of hearing.
13. List on 02.09.2024

CRL.M.A. 10784/2024 (for stay)

14. Considering the fact that the summoning order was passed way back on 04.05.2022, this Court does not consider it apposite to stay the proceedings at this stage.
15. However, in the meantime, the concerned Officer of the petitioner company Thomas Mathew, Head of Operations is exempted from personal appearance before the learned Trial Court, till the next date of hearing.

AMIT MAHAJAN, J

APRIL 8, 2024

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