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

+ **CRL.M.C. 4381/2022**

NNS ONLINE PVT LTD AND ORS. Petitioner

Through: Mr.____, Advocate (appearance not given)

versus

STATE OF NCT OF DELHI AND ANR. Respondents

Through: Mr.Shoaib Haider, APP for State with SI Mohit Singh

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **07.09.2022**

Crl.M.A. No. 17901/2022

Exemption allowed, subject to just exceptions.

Crl.M.C. No. 4381/2022 and Crl.M.A. No. 17900/2022

The petitioners vide the present petition seek the setting aside of the order dated 14.7.2022 of the Court of the District & Sessions Judge, West, in Crl. Rev. P. No. 32/222 and seeks termination of the trial pending adjudication in the Court of the learned Metropolitan Magistrate in CC No. 7621/2019.

It has been submitted on behalf of the petitioners that the impugned order dated 14.7.2022 does not take into account Section 18(3) of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, which reads to the effect:

“18. Penalty.—

(1)

(2)

(3) No court shall take cognizance of an offence under this section, unless the complaint thereof is made within six months of the date on which the offence is alleged to



have been committed.”,

and that the cognizance in the matter could not have been taken in as much as the complaint was not made within a period of six months of the date of the alleged commission of offence in the instant case which is stated to have been committed in the year 2013.

Notice of the petition and the accompanying application is issued to the State and accepted on behalf of the State and be also issued to the Standing Counsel representing the Department of Labour in view of the respondents arrayed to the Memo of Parties being to the effect:

“ 1 State of N.C. T. of Delhi

*Through Its Secretary-Cum-Labor Commissioner,
Department of Labour, Government of NCT of Delhi,
5, Samnath Marg, Delhi-110054*

2. The Joint Labour Commissioner (West Delhi District)

*Labour Department, Govt. of NCT of Delhi,
F-Block, Karampura, New Delhi-110015*

***3. The Inspector Under Working Journalist & Other
Newspaper Employees Act, 1955***

*Office of the Joint Labour Commissioner (West Delhi)
Labour Department, Govt. of NCT of Delhi,
F-Block, Karampura, New Delhi-110015. ”*

Renotify on 8.12.2022.

In the meantime, till the next date of hearing, the proceedings before the Trial Court are Stayed.

The Trial Court Record both in the e form and physical form be requisitioned.

ANU MALHOTRA, J

SEPTEMBER 7, 2022/SV