



2026:DHC:7830



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

% **Date of Decision: 09th September, 2026**

CNR No. DLHC010242762026

+ **W.P.(C) 7475/2026 & CM APPL. 61143/2026
APEEJAY EDUCATION SOCIETY**

.....Petitioner

Through: Ms. Yashmeet Kaur and Mr. Hitesh
Wadhwa, Advs.

versus

AKSHAY ANAND

.....Respondent

Through: Respondent in person (Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

CM APPL. 61143/2026 (For early hearing)

1. The present application has been filed on behalf of the petitioner for taking up the matter on an earlier date.
2. Learned counsel appearing for the petitioner submits that the right of the petitioner to cross-examine the respondent in relation to an ongoing industrial dispute had been closed by the Controlling Authority under Payment of Gratuity Act, 1972, and the Assistant Labour Commissioner (Central)-II, New Delhi, ("Controlling Authority"), *vide* order dated 24th June, 2025.
3. She submits that the subsequent application seeking recalling/setting



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aside of the said order was also dismissed by the Controlling Authority *vide* order dated 12th August, 2025.

4. The respondent appearing in person before this Court through Video Conferencing (“VC”) submits that despite opportunity being granted, the petitioner herein has not cross-examined the respondent.

5. This Court is informed that the petitioner herein is the respondent before the Controlling Authority and seeks to cross-examine the respondent herein, who is the petitioner before the said Authority.

6. On a pointed query by this Court, the respondent submits that he has no objection if an opportunity is granted to the petitioner to cross-examine him, provided the same is done by the petitioner expeditiously and within a limited time.

7. Accordingly, considering the submissions made before this Court, and with the consent of the parties, the following directions are issued:

- i. Orders dated 24th June, 2025, and 12th August, 2025, passed by the Controlling Authority are set aside.
- ii. Opportunity is granted to the petitioner herein to cross-examine the respondent herein.
- iii. The petitioner shall cross-examine the respondent on the next date of hearing before the Controlling Authority, i.e., 08th October, 2026.
- iv. In case, the cross-examination is not completed by the petitioner on 08th October, 2026, then the same shall be concluded on any subsequent date as given by the Controlling Authority.
- v. A cost of Rs.30,000/- shall be paid by the petitioner to the respondent on or before the next date of hearing before the Controlling Authority, i.e., on or before 08th October, 2026.



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8. With the aforesaid directions, the present petition, along with the pending applications, stands disposed of.
9. The next date of hearing, i.e., 16th December, 2026, stands cancelled.

MINI PUSHKARNA, J

SEPTEMBER 9, 2026/KR