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

% **Date of Decision: 10<sup>th</sup> August, 2026**

# **CNR No. DLHC010315022026**

+ **W.P.(C) 9801/2026 & CM APPL. 51538/2026**

**BADA BUSINESS PVT. LTD.**

.....Petitioner

Through: Mr. Aditya Vardhan Sharma with Ms.  
Divya Prakash Singh, Advocates.  
(M): 9709382147  
Email: [aditya@avsattorneys.com](mailto:aditya@avsattorneys.com)

versus

**NIDHI ANEJA**

.....Respondent

Through: Mr. Biswambar Nayak, Advocate.  
(M): 9811027360  
Email: [advocate3685@gmail.com](mailto:advocate3685@gmail.com)

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**MINI PUSHKARNA, J. (Oral):**

**CM APPL. 51538/2026**

1. The present application has been filed on behalf of the respondent for disposing of the present writ petition by allowing prayers (b) and (c) of the present petition.
2. Learned counsel appearing for the respondent submits that since an appeal is pending before the Appellate Authority under the Payment of Gratuity Act, 1972 ("Payment of Gratuity Act"), he has no objection, without prejudice to his rights and contentions, if the said prayers in the present petition are allowed, in order to avoid any multiplicity of petitions or



litigations.

3. Notice in the present application had been issued on the last date of hearing, pursuant to which, learned counsel appearing for the petitioner has put in appearance.

4. Learned counsel appearing for the petitioner submits that the petitioner was constrained to approach this Court by way of the captioned petition, since without even hearing the petitioner, the gratuity amount deposited by the petitioner with the Deputy Labour Commissioner (South-East), Labour Welfare Centre, New Delhi (“Controlling Authority”), was directed to be released, to the respondent *vide* order dated 08<sup>th</sup> June, 2022 passed by Controlling Authority.

5. He further submits that, in case, the appeal filed by the petitioner assailing the order dated 08<sup>th</sup> June, 2022, is decided against the petitioner, further protection be granted to the petitioner for a period of atleast one week after passing of such order by the Appellate Authority.

6. Having heard learned counsels for the parties, it is to be noted that prayer (b) and (c) of the present petition read as under:

“xxx xxx xxx

(b) *Grant a stay on the operation of the Order dated 08.06.2026 passed Ld. Deputy Labour Commissioner (South-East), Labour Welfare Centre, Bal Mukund Khand, Giri Nagar, New Delhi-110019 until adjudication of the appeal dated 01.07.2026 filed by the Petitioner before the Ld. Joint Labour Commissioner, (South-East), Labour Welfare Centre, Bal Mukund Khand, Giri Nagar, New Delhi-110019;*

(c) *Grant a stay on release of the gratuity amount deposited by the Petitioner with Ld. Deputy Labour Commissioner (South-East), Labour Welfare Centre, Bal Mukund Khand, Giri Nagar, New Delhi-110019 until adjudication of the appeal dated 01.07.2026 filed by the Petitioner before the Ld. Joint Labour Commissioner, (South-*



*East), Labour Welfare Centre, Bal Mukund Khand, Giri Nagar, New Delhi-110019;*

*xxx xxx xxx”*

7. Considering the submissions made before this Court, and with the consent of the parties, the prayers (b) and (c) as aforesaid, are allowed.
8. In view thereof, it is directed that the order dated 08<sup>th</sup> June, 2026 passed by the Controlling Authority is stayed, to the effect that the gratuity amount deposited by the petitioner with the Controlling Authority shall not be released until the final adjudication of the appeal filed by the petitioner before the Appellate Authority against the said order dated 08<sup>th</sup> June, 2026.
9. As regards the submission of the petitioner *qua* further protection after an order by the Appellate Authority is passed, the petitioner is granted liberty to make such a submission before the Appellate Authority.
10. With the aforesaid directions, the present petition is accordingly, disposed of.
11. Pending applications also stand disposed of.

**MINI PUSHKARNA, J**

**AUGUST 10, 2026**

**c**