

**BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, ROUSE AVENUE, DISTRICT  
COURT COMPLEX, DELHI.**

Present:

Smt. Pranita Mohanty,  
Presiding Officer, C.G.I.T.-Cum-Labour  
Court-II, New Delhi.

M/s. Mesco Airlines Ltd.

Appellant

Vs.

APFC, Delhi (South)

Respondent

**ATA No. :- 1244(4)2014**

**ORDER DATED:-11.11.2021**

Present:- None for the Appellant.  
Shri B.B Pradhan, Ld. Counsel for the Respondent.

The matter stands listed today for hearing on the petition filed by the respondent praying early hearing of the matter and vacation of the interim stay granted. This application was filed on 13<sup>th</sup> July 2021 and the order was passed directing the respondent to provide the official email Id of the appellant available in the EPFO Shram Suvidha Portal so that notice of hearing can be given to the appellant. Today the Ld. Counsel for the respondent informed that the email id was provided and the office intimated about the notice sent to the appellant in the said email id. None appeared on behalf of the appellant to argue on the petitions filed by the respondent. Heard, the Ld. Counsel for the respondent. Citing the judgment of the Hon'ble Supreme Court In the case of **Asian Resurfacing of Road Agency Pvt. Ltd. and another vs. CBI Criminal appeal no.1375-1376/2013**) he submitted that the Hon'ble Supreme Court have clearly directed that the in cases where stay is granted will end on expiry of 6 months from the date of the order unless similar extension is granted by a speaking order.

But on hearing the submission and on perusal of the judgment referred supra it appears that the direction is in respect of the stay of civil or criminal proceedings pending before the trial courts and not applicable to the proceedings pending before the tribunal. Hence, the petition praying vacation of stay is held devoid of merit and rejected. It is found to be an extremely old matter of 2014. Hence, prayer for early hearing is allowed. Call on 11<sup>th</sup> January 2021 for final argument.

Presiding Officer