

**BEFORE THE 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.

**ATA No. D-2/26/2019**

M/s. Sanya Hospitality Pvt. Ltd.

Appellant

VS.

APFC, Gurugram

Respondent

**ORDER DATED:- 25.02.2022**

Present:- None for the appellant.  
Dr. S. C Gupta, Ld. Counsel for the Respondent.

The matter came up today for reporting compliance of the order dated 07.04.2021 passed by this tribunal directing the appellant to deposit 39000/- towards a pre condition for an interim stay on the execution of the impugned order. On 14.02.2022 on behalf of the appellant an application was filed supported by certain documents wherein it has been mentioned that the appellant while filing the appeal had never prayed for interim stay as much prior to the filing of the appeal the respondent had recovered the entire amount i.e. 1,82,970/- from its bank account. A copy of the office note of the respondent and copy of the bank statement to that effect has been filed. Thus, the appellant has prayed for a modification in the order dated 07.04.2021.

Being served with the copy of the petition the Ld. Counsel Mr. Gupta appeared and participated in the hearing.

Perusal of the record and hearing the submission of the appellant it is found that there is an error apparent on the face of the order dated 07.04.2021. Since the major amount assessed towards damage has already been recovered by the respondent it is not desirable to direct the appellant to deposit a further amount of Rs. 39000/- as a pre condition for an interim stay which is also not required in the circumstances of the appeal. The order dated 07.04.2021 is accordingly modified. The appellant is not required to deposit any further amount as a pre condition for stay since the order has already been executed. It is also found that the respondent has already filed reply to the appeal. Hence, list the matter on 30.05.2022 for final argument of the appeal.

Presiding Officer