

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

+ **CS(OS) No. 1326/2004**

% **12th October, 2015**

THE NEW INDIA ASSURANCE CO. LTD. Plaintiff

Through Mr. Shoumik Mazumdar, Advocate
for Mr. P.K. Seth, Advocate

versus

THE GIC EMPLOYEES' UNION (NZ) AND ORS. Defendants

Through Defendants are *ex parte*.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

To be referred to the Reporter or not?

VALMIKI J. MEHTA, J (ORAL)

1. This suit is filed by the plaintiff/The New India Assurance Co. Ltd. against its various Workers' Unions that they should not carry out any *dharna*, demonstration etc inside the office premises.

2. This suit is coming up for *ex parte* final arguments. In the suit, the plaintiff/company seeks the relief that the defendants/Workers' Unions should not carry out demonstration, *dharna* etc inside the office premises of the plaintiff/company and should not block the entry of the personnel of the

plaintiff/company and others from entering the office premises. Direction is prayed that the demonstration, *dharna* etc not be carried out within a distance of 500 meters from the office premises of the plaintiff/company.

3. Defendants were proceeded *ex parte* by the Order dated 5.2.2015.

4. Plaintiff has filed affidavit by way of evidence and has proved the contents of the plaint. In any case, in a case like this, law is well settled that there cannot be demonstration which will result in disruption of the normal work activities of the plaintiff/company.

5. In view of the fact that defendants are *ex parte* and plaintiff has proved its case by filing affidavit by way of evidence, this suit is decreed by directing that defendants will not carry out any demonstration, *dharna* etc inside the office premises of the plaintiff/company and that if any demonstration has to be carried out, it will be carried out at a sufficient distance from the premises of the plaintiff/company and there will be no disruption caused to any ingress and egress of any personnel who are working in the plaintiff/company or otherwise want to visit the office of the plaintiff/company. Also, defendants will also ensure that if demonstration

has to be done, then that demonstration will not have the effect of disruption
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of work etc of any office or of any other person other than the plaintiff/company also.

6. Suit is accordingly decreed leaving the parties to bear their own costs. All pending applications stand disposed of accordingly.

OCTOBER 12, 2015
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VALMIKI J. MEHTA, J.