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

+ **W.P.(C) 2794/2014**

PREM CHAND Petitioner
Through **Mr. Amresh Kumar, Adv.**

versus

THE GOVT. OF NCT OF DELHI & ANR. Respondents
Through **Mr. Anam Ahmad, Adv. for Ms.**
Nidhi Raman, Adv.

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **23.11.2017**

1. The present writ petition is filed under Article 226 of the Constitution of India by the petitioner seeking quashing of the impugned award dated 25.04.2013 with direction to respondent No.2 for reinstating the petitioner in service with full back wages.
2. Learned counsel for respondent No.2 has submitted that respondent No.2 does not have any objection in case the petitioner joins the duty with respondent No.2.
3. Learned counsel for respondent No.2 has further submitted that earlier as well respondent No.2 had asked the petitioner to join the duty but after joining the duty, the petitioner left the duty after 5-6 days and did not return.
4. Learned counsel for the petitioner on instructions from the petitioner, who is present in the court submits that workman is ready

and willing to join the duty with respondent No.2.

5. Learned counsel for respondent No.2 also submits that the petitioner is not entitled for the back wages, since he has already admitted in his cross examination on 18.12.2012 in I.D. No. 604/2011 that he was gainfully employed somewhere and for that reason, he did not wish to join the management.

6. Learned counsel for the petitioner submits that the petitioner is not pressing the back wages and he will join the duty with respondent No.2. As per the offer of respondent No.2, the petitioner will join the duty with respondent No.2 from tomorrow i.e. 24.11.2017.

7. Learned counsel for the petitioner submitted that there may be apprehension in the mind of the petitioner that respondent No.2 may again refuse him employment. In that eventuality, the workman/petitioner is at liberty to take the remedy under Industrial Disputes Act.

8. Learned counsel for the petitioner submits that he is not pressing the present petition.

9. Accordingly, the present petition is disposed of with the aforesaid directions. Parties to bear their own costs.

10. *Dasti.*

CHANDER SHEKHAR, J

NOVEMBER 23, 2017

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