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

+ W.P.(C) 6482/2018, CM Nos.24879/2018 & 25015/2018

ASSOCIATED TRADING CO. Petitioner
Through: Mr.Devesh Pratap Singh, Advocate

versus

GOVERNMENT OF NCT OF DELHI & ORS Respondents
Through: None.

CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **02.07.2018**

1. The petitioner has invoked the writ jurisdiction of this Court under Article 226 read with Article 227 of the Constitution of India with the following prayers:-

(i) to issue an appropriate direction thereby permitting the petitioner to deposit half of the award amount, as demanded vide letter dated nil by the respondent No.1 in Case No.20/MW/SDM/MT/18 and for not releasing the said deposit to the respondent No.3 till the pendency of the applications moved by the petitioner in ID No.1188/2014 before the Labour Court, or in alternative, direct the Presiding Officer, Labour Courts, Dwarka to accept the half of the deposit amount as demanded by the respondent No.1 in ID No.1188/2014 titled as Ram Shiromani vs. M/s Associated Trading Co.

(ii) to issue an appropriate direction thereby staying recovery proceedings initiated against the petitioner by the respondent No.1 in Case No.20/MW/SDM/MT/18 pursuant to the recovery certificate issued by the

respondent No.2 in implementation of award dated 29.01.2016 passed in ID No.1188/14.

2. On 06th June, 2016, while issuing notice on CM No.25015/2018, this Court directed that subject to the petitioner depositing with the Registrar General the sum of ₹1,83,712, alongwith interest @ 8% from the date of filing of the petition i.e. 29th January, 2016 till that date, the issuance of recovery certificate shall be stayed.

3. Learned counsel for the petitioner submits that the petitioner has already deposited the amount of ₹2,18,340/- with the Registrar General of this Court. He further submits that the petitioner has filed an application under Order IX Rule 13 CPC read with Section 151 CPC in ID No.1188/2014, which is pending before the Labour Court at Dwarka. Learned counsel for the petitioner prays that the amount of ₹2,18,340/- deposited by the petitioner may be directed to be kept in the form of FDR till the disposal of the application under Order IX Rule 13 read with Section 151 CPC and the instant petition may be disposed of.

4. In view of the above submissions made by learned counsel for the petitioner, it is directed that the amount of ₹2,18,340/- deposited by the petitioner shall be kept in the form of FDR, initially for a period of six months with auto renewal facility. Release of the amount deposited by the petitioner alongwith interest accrued thereon shall be subject to the outcome of the application under Order IX Rule 13 CPC.

5. With above directions, the petition alongwith pending applications is disposed of.

PRATIBHA RANI, J.

JULY 02, 2018/‘pg’