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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5581/2020 and CM APPL. 20169/2020, 20170/2020**
NORTH DELHI MUNICIPAL CORPORATION Petitioner
Through: Ms. Namrata Mukim, Standing
Counsel (M: 9899206515) with Ms.
Garima Jindal, Advocate and Mr.
Ravi Gupta, AE (M: 9990134060).

versus

SURAJ MAL & ANR. Respondents
Through: Mr. Dharm Pal Tiwari, Advocate for
R-1 (M: 9911312669, 7011015650).
Mr. Rajesh Kumar Agnihotri,
Advocate for R-2 (M: 9868931054).

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **24.08.2020**

1. This hearing has been held through video conferencing.
2. The present petition has been filed by the North Delhi Municipal Corporation (hereinafter, 'NDMC') challenging the Recovery Certificate for sum of Rs.6,47,692/- issued on 1st July, 2020 by Respondent No. 2, in respect of dues payable by the Petitioner to Respondent No.1.
3. The submission of Ms. Namrata Mukim, ld. counsel for NDMC is that there was a settlement dated 15th January, 2019 by which amounts were agreed to be paid to the Workman. However, the said amounts were not released to the Workman due to various reasons. She now submits that the Petitioner's calculation chart shows that the actual amounts payable to the Workman are Rs. 5,01,459/- and not Rs. 6,47,692/-

4. Mr. Dharm Pal Tiwari, appearing for Respondent No. 1/Workman submits that the Workman does not wish to dispute or challenge the computation by the Petitioner/NDMC. In fact the dispute dates back to 2010, and the Workman would like to see a quick closure to this case.

5. This Court is not going into the question as to whether there was any calculation error by the Labour Commissioner/Respondent No.2, as there are several similar matters in this court which have raised similar grievances. Since in the present case, the Workman is willing to accept the calculation given by the Petitioner, it is directed that the Petitioner shall now make a payment of Rs. 5,01,459/- as full and final settlement of the dispute between the Respondent No. 1 and the Petitioner. Let the said payment be now released to the Workman within a period of six weeks from today. Ms. Namrata Mukim, Id. counsel instructed by Mr. Ravi Gupta, Assistant Engineer (M: 9990134060) submits that the said payment shall be released within six weeks. The Assistant Engineer shall ensure compliance of this order, failing which interest would be liable to be paid at the rate of 14% from the date when the settlement took place i.e. 15th January, 2019.

6. The Labour Commissioner shall be restrained from taking any coercive steps for a period of six weeks.

7. The petition with all pending applications is disposed of, in these terms.

PRATHIBA M. SINGH, J.

AUGUST 24, 2020
MR/A