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

+ **W.P.(C) 6994/2018 & CM APPL. 26453/2018**

SOUTH DELHI MUNICIPAL CORPORATION Petitioner

Through: Ms. Biji Rajesh and Mr. Gaurang
Kanth, Advocates. (M:9717177733)

versus

LEKH RAJ

..... Respondent

Through: Mr. Anuj Aggarwal and Mr. Saurabh
Ahuja, Advocates. (M:9899634689)

WITH

+ **W.P.(C) 6996/2018 & CM APPL. 26456/2018**

SOUTH DELHI MUNICIPAL CORPORATION Petitioner

Through: Ms. Biji Rajesh and Mr. Gaurang
Kanth, Advocates.

versus

SATYA DEV

..... Respondent

Through: Mr. Anuj Aggarwal and Mr. Saurabh
Ahuja, Advocates.

WITH

+ **W.P.(C) 7007/2018 & CM APPL. 26512/2018**

SOUTH DELHI MUNICIPAL CORPORATION Petitioner

Through: Ms. Biji Rajesh and Mr. Gaurang
Kanth, Advocates.

versus

VED RAM

..... Respondent

Through: Mr. Anuj Aggarwal and Mr. Saurabh
Ahuja, Advocates.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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13.03.2020

1. The Respondents/Workmen (*hereinafter*, “*Workmen*”) were engaged as gardeners (‘*Mali*’) by the Petitioner/Management (*hereinafter*, “*Management*”).
2. Industrial disputes were raised, being ID No. 92/2013 in W.P.(C)

6994/2018, ID No. 77/2013 in W.P.(C) 6996/2018 & ID No. 84/2013 in W.P.(C) 7007/2018.

3. A question was framed and referred to the Industrial Tribunal. The award has been pronounced on 17th May, 2017 and the reference has been answered, however, a perusal of the same shows that the award is nothing but a complete reproduction of the written arguments given by the Management and the Workmen. Only one paragraph seems to have been added at the end which concludes that the evidence of the Workmen is reliable and credible.

4. There is no discussion whatsoever in the award as to the reason why the case of the Workman is considered reliable. In fact, a perusal of the award shows that the labour court has even copied the prayers made in the written arguments of the parties.

5. Under these circumstances, the impugned awards are set aside. On the basis of the record available, the matters shall be decided afresh by the labour court. Considering that these are old matters, the reference shall be answered within a period of six months from today. The amount deposited by the Management, in this Petition, along with any interest accrued thereon (after deducting TDS on the interest component), be refunded to the Management. Let an Officer of the SDMC, along with the counsel, be present before the concerned Registrar for taking the refund.

6. The petitions are accordingly allowed. All pending applications are disposed of. It is clarified that this Court has not examined the matters on merits.

PRATHIBA M. SINGH, J.

MARCH 13, 2020/dj/T