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

+ W.P.(C) 4642/2014, C.M. No.9235/2014, 20166/2014, 42155/2017,
52903/2018

RAM CHANDER & ORS

..... Petitioners

Through: Mr. Rajiv Agarwal and Ms. Meghna
De, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Anl Soni, Adv. for R1, R2,R3 &
R5.
Mr. Ranjan Mozumdar, Adv. for R4.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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23.01.2020

1. The present writ petition has been filed by the three petitioners purportedly on behalf of 217 workmen, who have been discharging duties as Data Entry Operators, employed in the respondent No.3 for the last many years with the following prayers:-

“(a) To quash the notices inviting tender/ advertisement for the recruitment of data entry operators issued by the Respondent No. 3 for offices of Respondent No. 3 in Delhi/NCR and in other states of India in Delhi/ NCR which targets the new recruitment of DEOs in place of the present petitioners;

(b) To pass a writ of mandamus so as to expedite the proceedings regarding an application for apprehension of termination and regularization dated 27.05.2014 which is pending in the Central Labour Commissioner filed by the petitioners;

(c) To pass an order for not terminating the 217 workmen who are employed in the capacity of Data Entry Operators till an effective settlement/award/fruitful order has not been passed by this Hon'ble Court or by the Central Labour Commissioner, New Delhi;

(d) To pass an order/direction so as to regularise the 217 workmen working in the capacity of Data Entry Operators as permanent employees and not to infringe their right to employment;

(e) To pass such order(s) as this Hon'ble Court may deem fit and proper under the circumstances of the case.”

2. Learned counsel for the parties jointly submit that after filing of the present petition the matter was referred to the Central Government Industrial Tribunal for adjudication vide reference order dated 15.07.2014 and consequently on 23.08.2019, the Tribunal has passed the award holding these workmen to be employees of respondent no.3 and would be entitled to receive wages as per the pay scale applicable to their respective categories/designation i.e. Data Entry Operators/LDCs and Operation Manager, with all consequential benefits from the date of their initial engagement/appointment. The Labour Court has further directed the respondent no.3 to regularise the services of the workmen from the date of their initial engagement within a period of three months.

3. In these circumstances, nothing survives for adjudication in the

present petition.

4. The writ petition along with pending applications are disposed of. It is, however, made clear that this Court has not examined the merits of the Award.

REKHA PALLI, J.

JANUARY 23, 2020

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