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

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Date of Decision: 17th January, 2020

+ W.P.(C) 6288/2017 & CM Appl. 32340/2017

M/S V2 RETAIL LIMITED

..... Petitioner

Through: Mr.Roshan Santhalia, Advocate

versus

VIJAY SINGH

..... Respondent

Through: Mr.Manoj Kumar Singh, Advocate

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

J U D G M E N T (ORAL)

1. The petitioner has challenged the award of the Labour Court whereby the Labour Court has awarded compensation of Rs.4,00,000/- in lieu of reinstatement.
2. The respondent worked with the petitioner from 23rd March, 2003 to 30th October, 2008. According to the petitioner, the respondent voluntarily resigned on 30th October, 2008 whereas according to the respondent, he was forced to resign. The respondent raised an industrial dispute which was referred to the Labour Court. The Labour Court held that the resignation of the respondent was not voluntarily and he was forced to resign by the petitioner.
3. Learned counsel for the petitioner urged at the time of the hearing that the resignation of the respondent was voluntarily and the Labour Court erred in holding that the resignation was not voluntary. It is further submitted that

the Labour Court at Delhi did not have the territorial jurisdiction to entertain the reference.

4. Learned counsel for the respondent urged at the time of the hearing that the respondent was forced to resign and there is no infirmity in the findings of the Labour Court. It is further submitted that no ground for interference in the award is made out. It is further submitted that issue of territorial jurisdiction has been examined at length by the Labour Court and the Labour Court rejected the same.

5. This Court is of the view that no ground for exercising the extraordinary writ jurisdiction is made out by the petitioner. The pure finding of fact of the Labour Court that the resignation of the respondent was not voluntary, cannot be agitated in writ proceedings. That apart, this Court does not find any infirmity in the well reasoned award of the Labour Court. The compensation awarded by the Labour Court is fair and reasonable and does not warrant any interference.

6. The writ petition is dismissed. Pending application is also disposed of.

7. The petitioner has deposited Rs.4,00,000/- with the Registrar General of this Court. Let this amount be released to the respondent.

8. Copy of this judgment be given *dasti* to counsel for the parties under signatures of Court Master.

J.R. MIDHA, J.

JANUARY 17, 2020

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