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

+ W.P.(C) 12084/2016 & CM APPLs. 13320-21/2020

METRRO WASTE HANDLING

PVT LTD

... Petitioner

Through Ms.Manmeet Arora, Mr.Sarad K.
Sunny, Ms.Pavitra Kaur and
Mr.Harkirat Singh, Advs.

versus

SOUTH DELHI MUNICIPAL
CORPORATION

... Respondent

Through Ms.Mini Pushkarana, Standing
Counsel with Ms.Khushboo Nahar &
Ms.Latika Malhotra, Advs. for
SDMC.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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24.06.2020

This hearing is conducted through video conferencing.

CM APPL. 13321/2020(exemption)

Allowed subject to all just exceptions.

CM APPL. 13320/2020

This application is filed under section 151 CPC seeking clarification of the judgment dated 12.05.2020 passed by this court.

Essentially what is sought in the application is that while allowing the writ petition, the court did not grant any interest which the petitioner prayed for and sought for. It is, secondly, pleaded that the respondent has made recoveries on account of labour cess which was illegal. It is pleaded that this aspect of deduction of labour cess was not a subject matter of the writ petition and it came to light only after the respondent filed its counter

affidavit. Hence, it is stated that this court did not adjudicate on the issue of validity of the deduction of labour cess.

Issue notice. Learned counsel for the respondent accepts notice. Reply be filed within four weeks. Rejoinder, if any, be filed within two weeks thereafter.

List on 24.08.2020.

On the issue of labour cess, I may clarify that this court did not adjudicate on this matter. In view of the above, it is clarified to the extent that the petitioner is free to initiate any appropriate legal proceedings for recovery of the said labour cess as per law. Needless to add this, liberty is granted without prejudice to all the rights and contentions of the parties.

JAYANT NATH, J.

JUNE 24, 2020/st