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

Date of Decision: 24th February, 2022

+ **W.P.(C) 1782/2019**

M/S CAPITAL MAINTENANCE CORPORATION Petitioner

Through: Mr. Dhan Mohan, Ms. Tanu B. Mishra, Mr. Ravi Mishra & Ms. Kawaljeet Kaur, Advocates with Mr. Yashpal Singhal, sole proprietor in person. (M: 9811180987)

versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Atul T.N., Mr. Rajat and Ms. K. Pallavi, Advocate for R-2 with Mr. B. S. Negi, Respondent No.2 in person Mr. Ajit Kumar Singh, Advocate

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J.(Oral)

1. This hearing has been done through video conferencing.

CM APPL. 9776/2022 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

WP(C) 1782/2019 & CM APPLs. 8341/2019, 8342/2019, 20526/2019 & 9747/2022

3. The present petition has been filed challenging the order dated 30th May, 2018 passed by the Labour Court in *LCA No.273/16* titled *Sh. B.S. Negi v. The Management of M/s. Capital Maintenance Corporation*. By the impugned Award, the Labour Court has allowed the application filed by the Respondent No.2-Workman (*hereinafter, "Workman"*) under Section



33C(2) of the Industrial Disputes Act, 1947 (*hereinafter*, “Act”) for recovery of money as per Award dated 12th November, 2009 passed by the Labour Court in ***ID No.321/2009*** between ***The Management of M/s. Capital Maintenance Corporation v. Its Workman Sh. B.S. Negi.***

4. The Workman was working with the Petitioner-Management (*hereinafter*, “Management”) as a Peon since 1st April, 1980. The services of the Workman were terminated on 19th January, 2007. The Workman raised an industrial dispute challenging his termination. Vide award dated 12th November, 2009 passed by the Labour Court in ***ID No.321/2009***, the Labour Court directed the reinstatement of the Workman, along with grant of 50% back wages. The operative portion of the said award dated 12th November, 2009, reads as under:

“So far as the backwages are concerned, seeing the number of years of services and other facts and circumstances of the case, he is granted reinstatement with 50% back wages.”

The Award is passed accordingly. Ahlmad is directed to send six copies of this award to the appropriate Government. The file be consigned to Record Room.”

5. The said Award dated 12th November, 2009 was not challenged by the Management. Thereafter, the Workman filed an application under Section 33C(2) of the Act, seeking execution of the said Award. While deciding the application filed by the Workman, the following amounts were directed to be paid to the Workman:

*“The details of calculation is as under:
Last Drawn Wage: Rs.9015/-
Date of enforcement of award: 14.04.2010*



Date of enforcement date upto 14.04.2012 total months: 24 months

Total wages entitled by the workman from 14.04.2012- $9015 \times 24 =$ Rs.2,16,360/- with 10% interest.”

6. Notice was issued in the present petition on 20th February, 2019. On the said date, this Court had also directed the Management to deposit 50% of the awarded amount within four weeks, with the Registrar General of this Court. Subject to the said deposit, the impugned Award was stayed till the next date of hearing. Pursuant thereto, the Management has deposited a sum of Rs.2 lakhs with this Court, which is lying in a Fixed Deposit.

7. In the meantime, an application under Section 17B of the Act was also moved by the Workman seeking payment of monthly wages, on the ground that he is unemployed. The categorical statement made in support of the said claim, in the application, reads as under:

“That the applicant workman is not gainfully employed in any establishment since his termination and he has been not able to get employment in any establishment despite his best of efforts. That the applicant workman is undergoing an acute phase of financial crisis due to his prolonged phase of unemployment and he is entitled to the last drawn wages or the minimum wages whichever is higher from the date of the award dated 12/11/2009.”

8. The Management has filed a reply to the said application, and the pleadings are complete. The Management has also filed an application under Section 340 Cr.P.C being **CM APPL. 9747/2022**, seeking necessary action against the Workman for making false averments in the affidavit in order to mislead the Court, as also to conduct an inquiry into the said allegation. The



case of the Management is that the Workman has deliberately made a false statement before this Court that he was unemployed. Documents have been placed on record along with the said application to indicate that the Workman was employed with Masonic Public School, B-1, Vasant Kunj, New Delhi-110070. The Workman is also stated to be enrolled with the Employees' Provident Fund Organisation as also the Employees' State Insurance Corporation, for receiving the benefits under the respective statutes as well. Documents to this effect have also been placed on record. Accordingly, the Management prays that necessary action under Section 340 Cr.P.C. ought to be initiated against the Workman for making a false statement, in accordance with law.

9. At the outset, Mr. Nagarajan, Id. Counsel appearing for the Workman, submits that when the Workman had approached him initially, he was clearly informed by him that he was not employed anywhere. However, upon receiving the application under Section 340 Cr.P.C. and inquiring the Workman in respect thereof, the Workman had conceded to him that he was employed between the years 2013 to 2019, with the aforementioned school. In view of the fact that the Workman had withheld such important information from his counsel, Mr. Nagarajan submits that he has called the Workman himself to join the virtual proceedings today to explain his conduct.

10. Accordingly, the Workman-Mr. B.S. Negi, has joined the virtual proceedings. Upon being queried by the Court, he confirms that he was working with Masonic Public School, from the year 2013 to the year 2019. He also confirms that he has now retired w.e.f. 31st March, 2019. He submits that he did not disclose these facts to Mr. Nagarajan, Id. Counsel, at the



relevant point in time, as he had undergone bypass surgery due to which he was in a disturbed mental condition.

11. On the other hand, Ms. Mishra, Id. Counsel for the Management submits that the conduct of the Workman in concealing the relevant facts is deliberate, and the Workman does not deserve any indulgence of this Court. She submits that necessary action under Section 340 Cr.P.C. would be liable to be taken against the Workman.

12. A perusal of the record shows that the present petition relates to an award which was passed way back in the year 2009. The same was an *ex parte* award that was not challenged by the Management. The Workman filed an application under Section 33C(2) of the Act for seeking execution of the Award granted reinstatement in service as also 50% back wages. In the opinion of this Court, there can be no doubt that the Workman ought to have disclosed the true facts in the application under Section 17B of the Act, which he has clearly not disclosed. The Workman was employed for a period of six years, which is a long duration. The Workman could have disclosed the same in his application under Section 17B, and could have still claimed back wages in respect of the years when he was unemployed. However, the Workman chose not to do so, and misled the Court instead. The Workman having appeared and made submissions in this regard, this Court is convinced that there is no justification for the Workman to have not made a fair and truthful disclosure to the Court.

13. This Court has noticed that in a large number of cases relating to applications filed by the Workmen seeking payment of wages under Section 17B of the Act, the Workmen make a statement in the application that they are not gainfully employed elsewhere. However, the Management is,



thereafter, able to procure and produce evidence showing employment of the Workman.

14. The Management usually conducts a private investigation or an inquiry into the status of employment of the Workman. In the process of such enquiry or investigation, if any evidence is collected, the same is placed before the Court in support of the claim that the Workman is gainfully employed elsewhere. Such evidence may, at best, be cursory evidence as the Management is usually not able to obtain the complete evidence or the best evidence which would be admissible in Court. Thus, this Court gets the impression that the Workmen are not candid with their counsels and with the Court, on several occasions.

15. At this stage, it is relevant to capture the legal position in respect of an application under Section 17B of the Act. The said provision codifies the right of the Workman to seek payment of wages during the pendency of proceedings in higher courts. Section 17B reads as under:

“17B. Payment of full wages to workman pending proceedings in higher courts.—Where in any case, a Labour Court, Tribunal or National Tribunal by its award directs reinstatement of any workman and the employer prefers any proceedings against such award in a High Court or the Supreme Court, the employer shall be liable to pay such workman, during the period of pendency of such proceedings in the High Court or the Supreme Court, full wages last drawn by him, inclusive of any maintenance allowance admissible to him under any rule if the workman had not been employed in any establishment during such period and an affidavit by such workman had been filed to that effect in



such Court: *Provided that where it is proved to the satisfaction of the High Court or the Supreme Court that such workman had been employed and had been receiving adequate remuneration during any such period or part thereof, the Court shall order that no wages shall be payable under this section for such period or part, as the case may be."*

16. A perusal of the above provision shows that the relief in the application is contingent upon the Workman being unemployed. Even the period for which payment of wages is directed, need not be the entire period. If there are some periods during which the Workman was employed and some other periods when he was not employed, the Court can grant partial relief during which the Workman was unemployed.

17. Section 17B was incorporated into the Industrial Disputes Act, 1947 as a piece of social welfare legislation which aims at ameliorating the hardship caused to the Workman, on account of protracted litigation. The underlying objects and reasons for enacting Section 17B, as observed by the Supreme Court in ***Bharat Singh v. Management of New Delhi Tuberculosis Center, New Delhi and Ors.***, is as under:

"8. It is common knowledge that even before Section 17-B was enacted, Courts were, in their discretion, awarding wages to workmen when they felt such a direction was necessary but that was only a discretionary remedy depending upon Court to Court. Instances are legion where workmen have been dragged by the employers in endless litigation with preliminary objections and other technical pleas to tire them out. A fight between a workman and his employer is often times an unequal fight. The legislature was thus aware that because of the long pendency of disputes in Tribunals and Courts,



on account of the dilatory tactics adopted by the employer, workmen had suffered. It is against this background that the introduction of this Section has to be viewed and its effects considered.

9. *The objects and reasons for enacting the Section is as follows:*

When Labour Court passes award of reinstatement, these are often contested by the employer in the Supreme Court and High Court. It was felt that the delay in the implementation of the award causes hardship to the workman concerned. It was, therefore, proposed to provide the payment of wages last drawn by the workman concerned, under certain conditions, from the date of the award till the case is finally decided by the Supreme Court or High Courts."

18. The statutory scheme of the provision was reiterated by the Supreme Court in ***Dena Bank vs. Kiritikumar T. Patel [(1999) 2 SCC 106]***, wherein it was held that the object underlying the provision under Section 17B of the Act is to relieve, to a certain extent, the hardship that is caused to the Workman, owing to the delay in the implementation of the award.

19. Although the provision is mandatory in nature, as per the judgment of the Id. Division Bench of this Court in ***Municipal Corporation of Delhi and Ors. vs. Santosh Kumari and Ors. [LPA No. 165/2012 decided on 24th August, 2012]***, the following conditions have to be satisfied before relief can be granted under Section 17B:

“(i) An award by a Labour Court, Tribunal or National Tribunal directing reinstatement of a workman is assailed in proceedings in a High Court or the Supreme Court;

(ii) During the pendency of such proceedings, employer is required to pay full wages to the



workman;

(iii) *The wages stipulated under Section 17B are full wages last drawn by him, inclusive of any maintenance allowance admissible to him under any Rule;*

(iv) *Such wages would be admissible only if the workman had not be employed in any establishment during such period and an affidavit had been filed to such effect.”*

20. Further, in ***India Tourism Development Corporation Ltd. and Ors. v. Vinod and Ors.*** [(2013) ILLJ 536 Del], the Id. Division Bench of this Court reiterated the settled principle that the Court cannot go into the merits of the case while considering an application under Section 17B of the Act.

21. In ***Food Craft Instt. and Ors. v. Rameshwar Sharma and Ors.*** [134 (2006) DLT 49], while considering the various factors for grant of relief under Section 17B, it was observed as under:

“64. The principles laid down in the various judicial pronouncements noticed above for grant of interim relief to a workman can be culled out thus:

xxx xxx xxx

(xvi) **gainful employment of the workman;**
unreasonable and unexplained delay in making the application by the workman after the filing of the petition challenging the award/order; offer by the employer to give employment to the workman would be a relevant factors and consideration for the date from which the wages are to be permitted.”

Thus, one of the issues that needs to be examined is whether the Workman is gainfully employed elsewhere, or not, and if so, for what period.

22. In an application under Section 17B, the Workman has to file an



affidavit stating that he or she is not gainfully employed elsewhere. Upon the filing of the said affidavit, the Management has to bear the onus of contesting the application under Section 17B, and place some evidence on record to show that the Workman is gainfully employed. Such evidence is not easily forthcoming in the form of salary slips, appointment letters, bank account details, etc. However, whenever the Management contests an application under Section 17B, the usual evidence which is filed on record could be any or all of the following:

- i. Photographs showing the Workman working in some other establishment;
- ii. Photographs showing the Workman running his own business in some form;
- iii. Details of provident fund, gratuity, and other accounts of the Workman, wherein the receipt of salary from another establishment is depicted;
- iv. A report by a private investigator giving the details of the employment of the Workman;
- v. In some cases, the records from the employer are also filed.

23. When the Management places such evidence on record, if a doubt arises in the mind of the Court as to the correctness and truthfulness of the affidavit filed by the Workman, the Court cannot ignore the facts placed by the Management and the correct factual position needs to be ascertained. The Court also has to bear in mind that conducting any formal enquiry could be to the detriment of the Workman himself, as the employer under whom the Workman may be working, may also be reluctant to continue with the Workman considering that a formal enquiry has been initiated by the Court.



24. It is in order to resolve this quandary that the Id. Division Bench of this Court in ***Santosh Kumari (supra)*** held that the Court is not to indulge in fishing and roving inquiry into the case while deciding an application under Section 17B. The relevant observations from the said judgment have been extracted below:

“35. It is clear from the above that insofar as application under Section 17B of the ID Act is concerned, it was filed more than 4 1/2 years of filing of the writ petition. In view of our above mentioned detailed discussion, the workman can, at the most, be granted benefit of the wages under Section 17B of the ID Act from the date of filing the application. However, whether the workman be given even this benefit or not depends upon the outcome of the other plea raised by the appellant about the gainful employment of the workman. The provisions of Section 17B of the ID Act are very clear in this behalf and the legal position as set addressed in enough judgments, which is as follows:

Insofar as the workman is concerned, the only obligation put on him is to file an affidavit to the effect that he is not gainfully employed elsewhere. He does not have to prove anything else and the reason is obvious. No person can asked to give the proof of negative. Under Section 17B of the ID Act, it is an impossible for an employee to prove that he is not gainfully employed. Therefore, the moment such an affidavit is given by the employee, onus shifts upon the management contesting the application and intends to make out a case that the workman is not entitled to benefit of language under Section 17B of the ID Act because of this reason. An important question arises at this



stage, viz., what kind of proof to show the gainful employment is to be furnished by the employer?

If there is a direct proof and evidence to show that the workman is under the employment of some other employer, and such proof is available with the employer and employer furnishes the same, that would be clinching. Difficulty, however, arises when clear-cut proof is not available with the employer, though some semblance of evidence is furnished, which would indicate that the workman is employed somewhere but to arrive at definite finding, some more reliable evidence is needed. We have come across the cases where photographs of such a workman working in some establishments are filed and even the particulars of the employer are given, but it is stated by the management that the said employer with whom the concerned workman is purportedly employed is not ready to furnish any proof of the employment. Situation gets more complicated when the management pleads self-employment. In such cases also, some proof of workman running some small scale business or other such activity is furnished in the form of photographs or the ownership of shop, etc. without any further evidence. Invariably, in all such cases, the management seeks proof against the employer where the workman is purportedly working at present to prove the records and state about the said employment. Managements, in case of self-employment, also press the Court at times to summon the final records in the form of sales tax registration, registration under Shops and



Establishments Act, etc. to find out whether the workman is doing the business under the provisions of the said Act. Such moves are normally resisted on the ground that the Court cannot hold inquiries into the aforesaid aspects and to determine and collect evidence on such aspects, viz., whether workman is working or not. Normally, such requests are rejected on the ground that the Court cannot hold inquiry once the workman has denied any gainful employment or self-employment.

36. We would like to point out at this stage that many cases have come across where workman initially doing any employment, but when confronted with some documentary evidence, they have accepted gainful employment. There is a tendency on the part of the workman to deny even when some semblance of evidence produced by the management which gives the indication some employment/self-employment.

37. No doubt, when the employer takes a vague plea that a workman is gainfully employed without furnishing any material or in support of this plea, the employer cannot take the help of the Court making the Court to undertake the exercise as to whether the workman is employed or not by indulging roving & fishing inquiry. We are of the view that interest of both the parties can be balanced by calling upon the workman to produce those documents, which are in exclusive possession of the workman and when the disclosure thereof is relevant to delineate the issue of gainful employment or self-employment. But it should be done only when the management produces some evidence in that behalf justifying further inquiry to know the truth. In such a situation, it would amount to finding the truth when on the one hand workman comes with



complete denial and on the other hand, management has secured some evidence which may point towards the plausible/gainful employment. Such a course is not to be resorted to on the ipse dixit of the management as no fishing and roving inquiry is to be conducted by the Court.

38. This, therefore according to us, is the balanced approach which needs to be adopted by the Court, viz., it does not amount to become a proof or a tool for fishing and roving inquiry, but whether the cases so demand calling upon his workman to produce the evidence in his possession when on the basis of some evidence produced by the management, a doubt arises that workman may be employed and the affidavit filed by him may not be wholly correct.

39. Examining the present case in this respect, we find that the reply to the application under Section 17B of the ID Act, it was stated that the workman is staying in village and therefore, he may be having agricultural or farming activities or may be operating a shop. This plea was taken on the premise that since the workman had been dismissed from the service more than 15 years again without any income, it was not possible for him to raise his family. This was a bald plea taken without even the semblance of evidence to support the same. Though we do not entirely agree with the view of the learned Single Judge that in no case, there can be a direction to the workman to file bank accounts, etc. and such a general observation may not be correct having regard to what we have observed above, in the facts of this case, we are of the opinion that the appellant/management could not ask for filing the bank accounts, etc. unless it had furnished some evidence to show that the workman was self-employed either in agriculture activity or was running a shop. Therefore, in the facts of this case,



we are of the view that the learned Single Judge is right in holding that no adverse inference can drawn against the workman for not filing the affidavit.”

25. From the above decision it is clear that the following are the usual steps in an application under Section 17B.

Step 1: If the award has granted reinstatement and a challenge is raised before the High Court and a stay has been granted in favour of the Management staying the reinstatement, then the Workman can file an application under Section 17B.

Step 2: The Workman, in support of the said application, files an affidavit that he is unemployed since the passing of the award till the filing of the application. In such an application, the period for which the Workman was unemployed ought to be mentioned. If the Workman was employed for a partial period, the same would have to be specified. If the Workman is engaged in some work or employment, he may choose to describe the same clearly in his own affidavit. The Workman ought to be aware that the affidavit filed is on solemn oath and the consequences of not disclosing the correct and true factual position as also the consequence of making an incorrect or false statement.

Step 3: The onus then shifts onto the Management, which may file a reply taking a stand. In some cases, the Management may procure some evidence of the Workman's status of employment, including through some sort of investigation or enquiry.



Step 4: The Workman ought to respond to this evidence filed by the Management. If it is found that the Workman has made false statements or not disclosed the complete truth, the Court may direct the Workman to disclose further documents and facts which are in the possession of the Workman, in order to ascertain the truth.

26. In view of the repeated number of cases where it is found that the Workmen have not fully disclosed the true facts, this Court is of the opinion that if a Workman, as in the present case, has deliberately concealed relevant facts and filed a false affidavit, such conduct of the Workman cannot be simply ignored by the Court. From a perusal of the decision in ***Santosh Kumari (supra)***, it can further be gleaned that if a doubt arises in the mind of the Court as to the correctness and truthfulness of the affidavit filed by the Workman, further documents can be called for, from the Workman.

27. In the present case, it is evident from the record that the Workman was employed for a period of six years in a school, and in fact, had superannuated from the said school. Despite this, for whatever reasons, the Workman chose not to apprise his counsel of the said fact, and further, deliberately filed a false affidavit before this Court.

28. As observed by the Supreme Court in ***Dena Bank (supra)***, the purpose of Section 17B is to relieve the hardship caused to the Workman to a certain extent, in cases where reinstatement has been granted by the Labour Court or Tribunal, and the award has been challenged before the High Court. This Court is of the opinion that the Workman ought not to take advantage of this legal position and seek relief from the Court, by filing a false affidavit.



29. Recent jurisprudence as laid down by the Supreme Court shows that the Court has held that grant of *lump sum* compensation in lieu of reinstatement in service can be one of the courses of action to be adopted. The Court has further held that grant of reinstatement is not automatic. In ***Allahabad Bank and Ors. v. Krishan Pal Singh (SLP(C) No. 19648/2019, decided on 20th September 2021)***, it was held as under:

“8. The directions issued by the High Court of Allahabad for reinstatement were stayed by this Court on 23.08.2019. During the pendency of these proceedings, the respondent – workman had attained age of superannuation. Though, there was strong suspicion, there was no acceptable evidence on record for dismissal of the workman. However, as the workman has worked only for a period of about six years and he has already attained the age of superannuation, it is a fit case for modification of the relief granted by the High Court. The reinstatement with full back wages is not automatic in every case, where termination / dismissal is found to be not in accordance with procedure prescribed under law. Considering that the respondent was in effective service of the Bank only for about six years and he is out of service since 1991, and in the meantime, respondent had attained age of superannuation, we deem it appropriate that ends of justice would be met by awarding lump sum monetary compensation. We accordingly direct payment of lump sum compensation of Rs.15 lakhs to the respondent, within a period of eight weeks from today. Failing to pay the same within the aforesaid period, the respondent is entitled for interest @ 6% per annum, till payment.”

30. Even in ***Ranbir Singh v. Executive Eng. P.W.D. (Civil Appeal No. 4483/2010, decided on September 2, 2021)***, it was observed as



under:

“6.In other words, we find that reinstatement cannot be automatic, and the transgression of Section 25F being established, suitable compensation would be the appropriate remedy. 7. In such circumstance, noticing that, though the appellant was reinstated after the award of the Labour Court in 2006, the appellant has not been working since 2009 following the impugned order, and also taking note of the fact that the appellant was, in all likelihood, employed otherwise, also the interest of justice would be best subserved with modifying the impugned order and directing that in place of Rs. 25000/- (Rupees Twenty Five Thousand), as lumpsum compensation, appellant be paid Rs.3.25 lakhs (Rupees Three Lakhs and Twenty Five Thousand), as compensation, taking into consideration also the fact that the appellant had already been paid Rs. 25000/- (Rupees Twenty Five Thousand) as compensation.”

31. Similar is the view taken by the Supreme Court in ***Ram Manohar Lohia Joint Hospital and Ors. v. Munna Prasad Saini and Ors.*** [AIR 2021 SC 4400], as also in ***Madhya Bharat Gramin Bank v. Panchamlal Yadav*** [2021 LLR 681].

32. Thus, whenever an award granting reinstatement in service to the Workman, is challenged before the High Court, the first and the foremost option that the Court could explore is to ask the Workman as to whether he is willing to join back the Management, or not. If the Management is not willing to take back the Workman or if the Workman is not willing to join back the Management, grant of *lump sum* compensation in lieu of reinstatement could be considered. In the alternative, if the Management makes out a case, the Court usually stays the award granting reinstatement,



subject to certain conditions such as deposit of part of the awarded amount with litigation expenses, etc. In such cases, an application under Section 17B may be filed by the Workman, if he is unemployed. However, if there is doubt in the mind of the Court as to the gainful employment of the Workman, then after the reply is filed by the Management, based on the documentary or other evidence filed, the Workman may be called upon to file further details and documents which are exclusively within the possession of the Workman. Such documents could include:

- i. The current place of residence of the Workman, along with contact details;
- ii. The details of the family members of the Workman who are residing with him, as also details of the earning members of the family, if any;
- iii. Number of children of the Workman, and their current status – education/employment, if any;
- iv. If required, the Court may also call for the details of the bank accounts of the Workman.

33. In the opinion of this Court, directing the filing of these documents would be necessary, especially if some evidence of the gainful employment of the Workman, has been placed on record by the Management, and the Court intends to ascertain the truthfulness of the affidavit filed by the Workman.

34. Under the overall facts and circumstances of the present case, it is clear that the relief of reinstatement in service can no longer be granted as the Workman has already attained superannuation. Thus, the only question that remains is that relating to grant of back wages. The Workman has



admitted that he was employed, and thus, the affidavit was palpably wrong. In view of the incorrect and false statements made by the Workman before this Court, and considering the conduct of the Workman, this Court directs that no amount would be liable to be paid as back wages to the Workman. However, the Court takes a compassionate view of the matter, only in view of the age and the medical condition of the Workman, and thus, no action is being directed against the Workman under Section 340 Cr.P.C. The provident fund, gratuity and other statutory benefits shall, however, be released to the Workman.

35. In several cases, it is seen that the Workmen are not able to afford counsels and avail of legal aid. Accordingly, out of the amount deposited by the Management, a sum of Rs.50,000/- is directed to be released by the Registry, in favour of The Secretary, Delhi High Court Legal Services Committee (DHCLSC). The remaining amount deposited, be refunded to the Management through Id. Counsel, along with the interest accrued thereon, and after deduction of TDS on the interest component, if any. In these facts, no amount is being released to the Workman.

36. With these observations, the present petition is disposed of. All pending applications are also disposed of.

PRATHIBA M. SINGH
JUDGE

FEBRUARY 24, 2022

mw/AD

(corrected and released on 4th March, 2022)