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

*Date of Decision: 27th May, 2022*

+ W.P.(C) 8455/2022  
SMT. VINITA

..... Petitioner

Through: Mr. Jawahar Raja, Ms. L. Gangmei,  
Ms. Varsha Sharma and Mr. Archit  
Krishna, Advs.

versus

SRI ASHOK PERUMULLA RLC CENTRAL & ANR

..... Respondents

Through: Ms. Pratima N. Lakra, CGSC for R-1.

27

+ W.P.(C) 8468/2022  
JAMILA

..... Petitioner

Through: Mr. Jawahar Raja, Ms. L. Gangmei,  
Ms. Varsha Sharma and Mr. Archit  
Krishna, Advs.

versus

ASHOK PERUMALLA REGIONAL LABOUR COMMISSIONER  
(CENTRAL), DELHI AND ANR.

..... Respondents

Through: Mr. Farman Ali and Ms. Usha  
Jamnal, Advs. for R-1.  
Mr. Arun Birbal and Mr. Sanjay  
Singh, Adv. for R-DDA.

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**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

## **J U D G M E N T**

**DINESH KUMAR SHARMA, J. (Oral)**

1. The present petitions have been filed under Article 226 of the Constitution of India challenging the impugned order dated 2<sup>nd</sup> May,



2022 in W.P.(C) 8455/2022 and impugned order dated 28<sup>th</sup> April, 2022 in W.P.(C) 8468/2022 passed by respondent No.1/Regional Labour Commissioner (Central), New Delhi whereby relying upon the judgment of the Supreme Court in ***Fabril Gasosa & Ors. Vs. Labour Commissioner & Ors.***, 1997 (1) SCALE 544 has *inter alia* held that the subject matter of the instant claim does not fall under the provision of Section 33 C(1).

2. I have perused the impugned orders of both the cases. It seems that in both the cases, the Regional Labour Commissioner (Central), New Delhi has passed as stereotype order without taking into account the facts and contentions of the parties.
3. Mr. Jawahar Raja, learned counsel for the petitioners states that he was not given an opportunity of being heard.
4. Thus, this Court, without going into the merits and the contentions of the parties, set aside order dated 2<sup>nd</sup> May, 2022 in W.P.(C) 8455/2022 and order dated 28<sup>th</sup> April, 2022 in W.P.(C) 8468/2022 with a direction to the Regional Labour Commissioner (Central), New Delhi to afford an opportunity of being heard to the petitioners and pass a reasoned order.
5. This Court expects that the Regional Labour Commissioner (Central), New Delhi, shall decide the matters expeditiously preferably within 10 weeks.



NEUTRAL CITATION NO: 2022/DHC/002120

6. With these observations, the present petitions along with pending applications stand disposed of.

**DINESH KUMAR SHARMA, J**

**MAY 27, 2022**

*Pallavi*

