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

+ **W.P.(C) 2821/2020**

PUSAU

.....Petitioner

Through: Mr. Paul Kumar Kala & Mr. Lemmila Mahong, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondents

Through: Mr. Anupam Srivastava, ASC for GNCTD with Mr. Vasuh Misra, Advocate.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

07.10.2024

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1. The grievance of the Petitioner as set out in the present Petition is that a release certificate under the provisions of the Bonded Labour System (Abolition) Act, 1976 [hereinafter referred to as “the Act”] and the Standard Operating Procedure of 2017, has not been issued by the Respondents in favour of the Petitioner. Other ancillary prayers have also been sought for by the Petitioner.

2. Learned Counsel for the Respondent makes multiple submissions.

2.1 In the first instance, he submits that the Petitioner is not a bonded labourer as is set out in Section 2(f) of the Act.

2.2 He further submits that there is no “bonded debt” under Section 2(d) of the Act and that the Petitioner does not come under the “bonded labour system” in terms of Section 2(g) for the Act to apply to him.



2.3 Learned Counsel for the Respondent seeks to rely upon a judgment of a Coordinate Bench of this Court in **W.P.(C) 12499/2023** titled as ***Sumitra vs Government of NCT of Delhi and Ors.*** to submit that the issue at hand was also examined by a Coordinate Bench of this Court which has held that where the complaints do not refer to a debt or a loan taken, such a complainant would not be entitled to benefit under the Act. He submits that the judgment of the Coordinate Bench has not been challenged by either parties and has attained finality.

2.4 Learned Counsel for the Respondents further seeks to rely upon the Petition filed by the Petitioner as well as the statement of the Petitioner to submit that there is no averment made with respect to either a debt or a loan taken from the employer M/s Jindal Constructions. He further submits that the employer is not a party to the present Petition.

3. In essence, what has been stated by the learned Counsel for the Respondent is that this Court has no jurisdiction to entertain the present Petition since the provisions of the Act are inapplicable to the Petitioner.

4. After some arguments, learned Counsel for the Petitioner seeks and is granted permission to withdraw the present Petition.

4.1 Liberty is also granted to the Petitioner to pursue all remedies as are available in law for the redressal of his grievance.

5. The present Petition is dismissed as withdrawn.

6. Parties shall act based on the digitally signed copy of the Order.

TARA VITASTA GANJU, J

OCTOBER 7, 2024/ ha

[Click here to check corrigendum, if any](#)