



\$~3

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 7542/2024

MANMOOD SHANKAR

.....Petitioner

Through: Ms. Adyarsha Nanda, Adv. with
Petitioner in person.

versus

LIFE INSURANCE CORPORATION OF INDIA.....Respondent

Through: Mr. Mohinder Singh, Adv.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

%

09.07.2024

1. The grievance of the Petitioner as articulated in the present Petition reads as follows:

“a. direct the Hon'ble Court Central Government Industrial Tribunal to dispose the Case bearing ID no. 421/2023 with in time bound manner.”

2. It is the contention of the Petitioner that the Petitioner is a workman who worked as an Assistant at the Respondent Corporation for 32 years before his services were terminated in 2016. By the Award dated 11.02.2019, the Petitioner was reinstated into service without back wages and other benefits.

3. Subsequently, an Application under Section 33C(2) of the Industrial Disputes Act, 1947 was filed by the Petitioner which was allowed by Central Government Industrial Tribunal-cum-Labour Courts and by its Order dated 25.05.2022 and the Respondent Corporation was directed to pay a sum of Rs.97,000/- to the Petitioner towards the unpaid benefits within three months.

4. The Respondent complied with the said Order and paid the Petitioner



a sum of Rs.97,000/- on 24.08.2022. It is however the contention of the Petitioner, that the amount towards allowances, bills, coupon and annual increments in terms of the Order dated 25.05.2022 were made to him on the basis of an old pay scale. It is contended that there is an additional amount due to the Petitioner in the sum of Rs.6,44,180/-, as is appearing in the calculation sheet annexed along with the Petition.

5. This issue has also been raised by the Petitioner in an Application dated 13.05.2023 being I.D. No. 421/2023, which is pending before the learned Labour Court [hereinafter referred to as “Application”].

6. It is the contention of the Petitioner that although the Application has been listed on several dates, it has not been taken up for consideration by the learned Labour Court.

7. Learned Counsel for the Petitioner further seeks to rely upon the provisions of sub-Section (2) of Section 33C of the Industrial Disputes Act, 1947 to submit, that the Act provides that such an Application to be decided within a period of three months, and more than one year has passed in the present case.

8. Learned Counsel for the Respondent does not refute the factual matrix referred to above. However, the learned Counsel denies that any amount is due and payable to the Petitioner and submits that all the payments due have already been made.

9. Learned Counsel for the Respondent however fairly states that he has no objection if the prayers in the Petition for an expedited hearing in the matter before the learned Labour Court are allowed.

10. Since the issue involved in the present Petition is not substantial, the learned Labour Court is requested to take the Application dated 13.05.2023



being I.D. No. 421/2023 pending before the Presiding Officer, [Retd.] Justice Vikas Kunvar Srivastava, Central Government Industrial Tribunal Labour Court-1, Rouse Avenue District Court Complex, New Delhi and decide the same as soon as possible and not later than a period of six months from today.

11. In view of the aforesaid directions, the Petition is disposed of.
12. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

JULY 9, 2024/r

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