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

+ **W.P.(C) 7776/2024**

ABHINAV GUPTA AND ORS

..... Petitioners

Through: Mr.Dipak Raj, Mr.Kamlesh Kumar
Mishra, Mr.Bibhuti Bhushan Mishra,
Ms.Renu Asif Iqbal and Ms.Varalika
Singh, Advocates

versus

DUSIB AND ORS

..... Respondents

Through: Mr.Parvinder Chauhan Advocate for
DUSIB
Mr.Gaurav Dhingra, Advocate for R-
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Ms.Vaishali Gupta, Panel Counsel for
GNCTD/R-2 to 4

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **28.05.2024**

CM APPL. 32260/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

**W.P.(C) 7776/2024 & CM APPL. 32259/2024 (Exemption from filing of
requisite Court fee)**

1. By way of instant writ petition under Article 226 of the Constitution
of India, the petitioners seek the following reliefs:-

*"i. Allow the present petition and Pass an order directing the
respondent No. 1 to comply with the mandate of the provisions
of the section 21 of the Contract Labour (Regulation &*



Abolition) Act, 1970 as also the other provisions and further direct them to release the salaries of the petitioners workmen as detailed in para 5 and annexure P1 of the present petition.

ii. Pass an order imposing the penalty on the respondents and granting compensation to the petitioners for the hardships caused to them due to the nonpayment of salaries/wages of the petitioner workmen for a prolonged period of time.

iii. Pass an order directing the respondents to consider, entertain and dispose of the representations/complaints preferred by the petitioners herein as detailed in para 8 and ANNEXURE P2 Of the present petition, in a time bound and expeditious manner.

iv. Pass an order directing the respondent No. 3 and 4 to decide the complaint dated 06.05.2024 in accordance with law and in a time bound manner without any further delay.

v. Declare the inaction of the respondent No. 1 in not complying with the provisions of the section 21 of the Contract Labour (Regulation & Abolition) Act, 1970 and not paying the salaries of its contractual workmen to be illegal and arbitrary.

vi. Pass an order directing the respondents to pay compensation to the petitioners for the mental and financial trouble caused to the petitioner.

vii. Pass any such directions or order that this Hon'ble court deems fit and proper in the facts and circumstances of the above mentioned case."

2. After some length of arguments, learned counsel appearing on behalf of the petitioners, on instructions, does not press the instant writ petition on merit and seeks an innocuous prayer to approach the concerned authority for expeditious disposal of his case. For this purpose, the learned counsel for the petitioners prays that the claim/application dated 6th May, 2024 filed on behalf of the petitioners, a copy of which is appended as Annexure P-2 to the petition, may be treated as a representation before the concerned authority.

3. Learned counsel appearing on behalf of respondents have no



objection to the innocuous prayer made on behalf of the petitioners.

4. Heard learned counsel for the parties and perused the record.

5. After perusal of the record, contentions made in the petition as well as the innocuous prayer made on behalf of the petitioners and no objection from the respondents, this Court is inclined to allow the prayer of the petitioners.

6. The petitioners are at liberty to approach the concerned authority i.e. the Chief Labour Commissioner, (Central) and the Labour Commissioner, GNCTD, alongwith certified copy of this order within two weeks from today. Thereafter, the concerned authority i.e. the Chief Labour Commissioner, (Central) and the Labour Commissioner, GNCTD are directed to give an opportunity of hearing to the parties and decide the claim/application dated 6th May, 2024 filed by the petitioners by way of passing a speaking order in accordance with law, expeditiously, preferably within six weeks.

7. With the aforesaid directions, the petition alongwith pending application stands disposed of.

CHANDRA DHARI SINGH, J

MAY 28, 2024

dy/ryp

Click here to check corrigendum, if any