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

+ **W.P.(C) 9852/2024, CM APPL. 40396-97/2024**

RAVI

.....Petitioner

Through: Mr. Advocate (Appearance not given)

versus

CHAIRMAN CUM MANAGING DIRECTOR DTC & ORS.

.....Respondents

Through: Mrs. Avnish Ahlawat, Standing
Counsel, DTC with Ms. Aliza Alam,
Ms. Laavanya Kaushik and Mr.
Mohnish Sehrawat, Advocates

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **19.07.2024**

CM APPL. 40396/2024*[Exemption from filing certified copy of annexures]*

1. Exemption allowed, subject to just exceptions.
2. The Application is disposed of accordingly.

CM APPL. 40397/2024*[Exemption from filing complete record filed before Labour Commissioner/Conciliation Officer]*

3. Exemption allowed, subject to just exceptions.
4. The Application is disposed of accordingly.

W.P.(C) 9852/2024

5. The present Petition has been filed impugning the Order dated 06.05.2024 passed by Labour Commissioner/Conciliation Officer, Pusa Road, Delhi in I.D./CD/CO/416/23 [hereinafter referred to as 'Impugned Order'].

6. Learned Counsel appearing on behalf of the Petitioner submits that inadvertently a wrong statement was made before the Labour Commissioner



which led to the passing of the Impugned Order. Therein, the Petitioner/Workman stated that he was a permanent employee of the Respondent/Corporation. Based on which, the Labour Commissioner directed that since he is a permanent employee, he does not come under the purview of the Industrial Disputes Act, 1947 and thus, the proceedings filed by the Petitioner/Workman were closed.

7. Learned Counsel appearing on advance notice on behalf of the Respondent/Corporation affirms this position. She seeks to rely upon the Termination Order dated 22.01.2014 which clearly sets out that the services of the Petitioner/Workman were terminated under Clause 9(a)(i) of the DRTA (Conditions of Appointment and Services), Regulation 1952 which are only applicable to the probationary employees and which state that during the period of probation, a probationer can be terminated without assigning any reasons therefrom.

8. With the consent of the parties, this Petition is taken up for hearing and disposal today.

9. In view of the submissions made by the learned Counsel appearing on behalf of the Petitioner, the present Petition is disposed of directing the Labour Commissioner/Conciliation Officer to adjudicate the Claim Petition filed by the Claimant/Workman in accordance with the law.

10. All pending Applications stand disposed of.

11. Parties to act based on the digitally signed copy of the order.

12. *Dasti* under the signatures of the Court Master.

TARA VITASTA GANJU, J

JULY 19, 2024/g.joshi

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