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

+ **W.P.(C) 10425/2024**

PANKAJ KUMAR AND ORS

.....Petitioners

Through: Mr. Dipesh Sharma, Ms. Ananya Pandey and Ms. Shivangi Singhal, Advocates.

versus

ENERGY EFFICIENCY SERVICE LIMITED

.....Respondent

Through: Mr. Samdarshi Sanjay, Ms. Monika Sharma and Mr. Ashish Kumar Sharma, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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30.07.2024

CM APPL. 42817-818/2024 (Exemptions)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. This writ petition has been preferred on behalf of the Petitioners under Article 226 of the Constitution of India seeking the following reliefs:-

“a. Issue a Writ, Order or Direction to the Respondent to grant pay parity and benefits to the Petitioners (Fixed Tenure employee's) who were similarly situated employees as regular employees working in the Respondent's Company and thus, release the arrears and penal interest from the date of joining till date for the due period to the Petitioners, AND/OR,

b. Issue a Writ, Order or Direction to the Respondent to pay Litigation cost along with arrears to the Petitioners because of failure to comply with Hon'ble Apex Court's directions for more than 5 Years. AND/OR

*c. Issue a Writ, Order or Direction to the Respondent to comply with the guidelines/law laid in the matter of **State of Punjab v. Jagjit Singh, (2017) 1 SCC 148** by the Hon'ble Apex Court, AND/OR*

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d. Pass any other Order or further orders as may be deemed fit and proper in the facts and circumstances of the case.

4. At the outset, learned counsel for the Petitioners, on instructions, seeks to withdraw this petition with liberty to file a detailed and comprehensive representation before the Competent Authority of the Respondent raising all issues flagged in the present petition including the law laid down by the Supreme Court in ***State of Punjab and Others v. Jagjit Singh and Others, (2017) 1 SCC 148.***

5. Writ petition is accordingly disposed of as withdrawn, giving liberty to the Petitioners to make a representation before the Competent Authority ventilating their grievances on pay parity with regular employees including the law propounded by the Supreme Court in ***Jagjit Singh (supra).*** Direction is issued to the Respondent to decide the representation within two weeks from the date of receipt of the representation, if any. Needless to state that a reasoned and speaking order shall be passed by the Respondent and the same shall be communicated to the Petitioners, who will be at liberty to challenge the same in accordance with law, if so advised.

JYOTI SINGH, J

JULY 30, 2024/shivam

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