



\$~98

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

+ **W.P.(C) 12126/2024 & CM APPL. 50452/2024**

OM PRAKASH

.....Petitioner

Through: Mr. Prashant Parwal, Adv. with Mr.
Rahul Kumar Verma and Mr.
Abhishek Gurawa, Adv.

versus

GOVERNMENT EMPLOYEES CONSUMER COOPERATIVE
SOCIETY LTD. AND ORS.

.....Respondents

Through: Mr. Dipak, K. Nagi, Adv. with Ms.
Aparna Upmanyu, Adv. for R-1.
Ms. Kangan Roda, Adv. for R-2&3.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

02.09.2024

%

CM APPL. 50452/2024 [*Seeking exemption from filing certified/true typed
copies of the annexures*]

1. Allowed, subject to all just exceptions.
2. The Application is disposed of.

W.P.(C) 12126/2024

3. The present Petition has been filed impugning an order dated 08.12.2023 passed by Respondent No.1/Co-Operative Society Ltd. (Kendriya Bhandar) E-Wing, Pushpa Bhawan, Madangir Road, New Delhi-110062 [hereinafter referred to as the "Impugned Order"].
4. At the outset, learned Counsel appearing on behalf of the Respondent



No.1 submits that in terms of paragraphs 15 and 16 of the Petition, the Complainant appointed under had previously filed a complaint before the Conciliation Officer which was dismissed for non-prosecution by order dated 07.06.2023. Thereafter, the Petitioner filed an Application for revival of the complaint on 20.10.2023 which is still pending adjudication. He further submits that the matter and the complaint raised by the Petitioner are thus pending before the Conciliation Officer and the petitioner is indulging in Forum Shopping.

5. Learned Counsel for the Petitioner contends that since he has already approached the Conciliation Officer under the Industrial Disputes Act, 1947, the Petition can be disposed of with the direction to the concerned officer to consider his revival Application.

6. Issue Notice.

6.1 Learned Counsel for the Respondents accepts notice. Given the order that the Court purposes to pass, learned Counsel for the Respondents submits that they do not wish to file any response/counter-affidavit.

7. With the consent of parties, the matter is taken up for hearing and final disposal today.

8. The Conciliation Officer is directed to decide the Representation dated 20.10.2023 by way of a speaking order as directed herein.

8.1 The Petitioner and his authorised representative will be given an opportunity to be present for a hearing before the Conciliation Officer.

8.2 The Application dated 20.10.2023 filed by the Petitioner before the Conciliation Officer be heard and disposed of within the 8 weeks from today.

9. It is made clear that this Court has not expressed any opinion on the



merits of the case. All rights and contentions of the parties are left open in this regard. The concerned conciliation officer may pass an appropriate order in accordance with law.

10. The Petition and all pending Applications are disposed of in the foregoing terms.

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

TARA VITASTA GANJU, J

SEPTEMBER 2, 2024/SA

Click here to check corrigendum, if any