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

+ W.P.(C) 1261/2025, CM APPL. 6207/2025

CENTRAL WAREHOUSING CORPORATIONPetitioner

Through: Mr. Bhaskar Wali, Adv.

versus

ASSISTANT COLLECTOR & ANR.

.....Respondents

Through: Mr. Raghav Kapoor, Adv. for R-3 and
4.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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06.03.2025

1. The present petition assails the Show Cause Notices (SCNs) dated 08.01.2025 and 23.01.2025, issued by the Office of the Assistant Collector, 1st /IInd Grade, Office of Sub Divisional Magistrate (Hauz Khas), District Magistrate (South) Office, Saket, New Delhi, calling up the petitioner to deposit a sum of Rs.7,88,165/- (Rupees Seven Lakhs Eighty Eight Thousand One Hundred Sixty Five Only) along with interest on the said amount from 12.12.2013 till the date of payment (if any).

2. As noticed by this Court in the order dated 31.01.2025, the genesis of the impugned SCNs is an order dated 11.09.2023, passed by the Assistant Labour Commissioner (Central), Hubli, which is the Controlling Authority under the payment of Gratuity Act, 1972. Furthermore, this Court in order dated 31.01.2025 also noticed that a writ petition had been filed by the petitioner before the Karnataka High Court being W.P.(C) 102635/2024 assailing the said order dated 11.09.2023. However, the same came to be dismissed on 10.01.2025. Against the said dismissal, the petitioner filed a



writ appeal in the Karnataka High Court being WA – 100054/2025 dated 29.01.2025.

3. *Vide* order dated 01.02.2025 in the said writ appeal, it has been directed as under:

“Learned counsel for the appellant submits that the appellant undertakes to deposit the entire amount. His submission is placed on record. The appellant is permitted to deposit the entire consideration amount within one week. Meanwhile, the respondents are directed not to precipitate the matter, till the next date of hearing. In case, if the appellant fails to deposit the amount within one week, interim order granted stands vacated automatically. Issue notice to the respondents, returnable by 03.03.2025.”

4. Learned counsel for the petitioner apprises that pursuant to the aforesaid order, the requisite amount, which is the subject matter of order dated 11.09.2023, passed by Assistant Labour Commissioner, Central, Hubli has been deposited by the petitioner before the Karnataka High Court. Since the amount already stands deposited, there is no occasion for recovery proceedings to be continued against the petitioner for which purpose the impugned SCNs have been issued.

5. The challenge to the aforesaid SCNs, shall necessarily be subject to further orders passed by the Karnataka High Court in WA – 100054/2025. As noticed, the amount which are subject matter of the adjudication order dated 11.09.2023 have already been deposited by the petitioner in the Karnataka High Court. Needless to say, the Hon’ble Division Bench of the Karnataka High Court will issue appropriate directions with regard to the said amount at the time of disposal of pending writ petition. All rights and contentions of the concerned parties are left open to be considered by the Karnataka High Court in WA – 100054/2025.



6. In the above circumstances, no further orders are required to be passed in the present writ petition. The same is accordingly, disposed of.

SACHIN DATTA, J

MARCH 6, 2025/cl