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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5817/2024, CM APPL. 24087/2024**

SANDEEP KUMAR

.....Petitioner

Through: None.

versus

CHIEF POST MASTER GENERAL AND ANR.....Respondents

Through: Ms. Theepa Murugasan, SPC with
Ms. Sanya Bhatia, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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06.05.2025

1. By way of present writ petition filed under Article 226 read with Article 227 of the Constitution of India, the petitioner seeks to assail the impugned order dated 29.11.2023 passed by the Presiding Officer CGIT-cum-Labour Court-II, Rouse Avenue District Courts, New Delhi.
2. There is no appearance on behalf of the petitioner.
3. On 25.04.2025, the Predecessor Bench had directed the petitioner to take instructions in view of the decision in Dena Bank v. D.V. Kundadia reported as **(2011) 15 SCC 690**. Though time was sought for the same, however, there is no appearance thereafter on behalf of the petitioner, i.e., on 29.04.2025 as well as today.
4. The Supreme Court has clarified the law in Dena Bank (Supra), whereby it was held that a writ petition is not maintainable against an interim order passed by the Labour Court. Relevant paragraph of the same is reproduced hereinunder:



“2. It is well settled by this Court that no writ should be entertained against an interim order of the Labour Court or the Industrial Tribunal. It is only when a final award is given, then a party should be allowed to challenge it if he is aggrieved.”

5. Concededly, the impugned order dated 29.11.2023 is an interim order in nature. The same is also noted vide this Court's order dated 25.04.2025. Accordingly, in view of the decision in Dena Bank (Supra), the present writ petition is dismissed alongwith pending application.

MANOJ KUMAR OHRI, J

MAY 6, 2025
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