



\$~17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8913/2023 and CM APPL. 33736/2023
M/ S PRINTLAND DIGITAL INDIA PVT. LTD.Petitioner
Through: None

versus

ROSHAN SINGH RAWATRespondent
Through: Mr.S.S. Rawat, Advocate

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

09.07.2025

1. By way of present petition, the petitioner/management seeks to set aside the impugned award dated 23.07.2019, whereby the learned Labour Court, while considering the reference made by the Dy. Labour Commissioner, Govt of NCT, Delhi under Section 10 (1) (c) and 12 (5) of the Industrial Dispute Act, allowed the claim and held the workman entitled to relief of reinstatement, with full back wages and continuity of service.
2. The petitioner has assailed the impugned award by contending that it was passed *ex-parte*, without appreciating that the petitioner was not served at all in the proceedings.
3. Considering the aforesaid plea, this Court on 06.07.2023 while issuing notice directed stay of the impugned order.
4. A perusal of the proceedings would show that, on the request of the parties, the matter was referred to mediation, however, the efforts remained unsuccessful. On the last date of hearing i.e. 18.03.2025, none appeared for the petitioner. Even today, the petitioner remains unrepresented.



Accordingly, the petition is dismissed in default and for non-prosecution.

5. Besides, this Court, with the assistance of learned counsel for the respondent, has gone through the petition as well as records of the Labour Court, which have been requisitioned. The sole contention raised in the present proceedings is that the petitioner was never served in proceedings before the Labour Court. A perusal of the trial court record would show that the Labour Court issued notice to the management on 10.08.2017. On 06.03.2018, the Labour court noted that none appeared for the management and thus proceeded ex-parte. Learned counsel for the respondent, refers to the report of the process server, wherein notice issued by the Labour Court was statedly served on one *Sh. Shrikant Sharma*, Assistant Manager, (Accounts). The report bears the signatures of the said person, alongwith the date of 28.08.2017.

6. Considering the aforesaid, this Court is of the considered opinion that the petitioner/management was duly served but failed to appear before the Labour Court. In the aforesaid backdrop, the Labour Court had no option but to admit the uncontroverted claim, I find no ground to entertain the present petition. Accordingly, the same is dismissed on merits as well alongwith the pending application.

MANOJ KUMAR OHRI, J

JULY 9, 2025

na