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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 7195/2024, CM APPL. 40043/2024

M/S EAGLE HUNTER SOLUTIONS LTDPetitioner

Through: Mr. R.P. Sharma, Advocate.

versus

JAGJEEVAN PRASAD KOTNALA

.....Respondent

Through: Mr. Saurav Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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22.05.2025

1. By way of present writ petition, the petitioner seeks to assail the order dated 21.06.2023 passed by the Authority under Delhi Shops & Establishment Act, 1954 ('the Act').
2. Pertinently, the proceedings arise in the context of an application dated 05.10.2020 filed on 14.10.2020 by the respondent under Section 21 (2) of the Act.
3. The respondent/claimant claimed to be employed with the present petitioner as V.P. Support/Vice President Support since 16.02.2020 and claimed his last salary as 1,50,000/-. It was further claimed that his salary for the period from 01.04.2022 to 22.05.2020 was unjustifiably not paid. In this regard, a demand notice dated 30.09.2020 was sent, however the same remained unanswered. Eventually, the respondent's services were terminated on 23.05.2020.
4. In the proceedings before the learned Authority, the summons were duly served upon the Management (petitioner herein), who also filed its



reply thereby denying the claim of the claimant. It was stated that the claimant had attended office regularly until 25.03.2020, whereafter he expressed his inability to continue with the regular employment on account of personal reasons. It was further claimed by the Management that the claimant did not attend office despite several calls and though came to the office two-three times, however he expressed his inability to continue to join duty and eventually voluntarily resigned on 22.05.2020.

A further perusal of record would show that the Management thereafter stopped appearing before the Authority and was proceeded *ex parte* on 28.02.2023. On an application preferred, the *ex parte* order was set aside, subject to payment of cost of Rs.3,000/-. However, the opportunity was not availed and once again it was proceeded *ex parte* on 17.05.2023.

5. The claimant had filed its evidence by way of affidavit, reiterating his claim of not being paid his wages from 01.04.2020 to 22.05.2020. It was stated that no notice was served upon him for the alleged absence. The demand notice and postal receipts were exhibited as Ex. WW-1/1 and WW-1/2 respectively. The Management never denied the factum of claimant's employment with it.

6. The learned Authority after considering the material and evidence on record came to the conclusion that the claimant's submissions remained un-rebutted, as the Management itself claimed that the claimant had come to the office on two-three occasions between 01.04.2020 and 22.05.2020. As noted above, the claimant maintained continuity in service and also pleaded that no notice was served upon him for the alleged absence, to which, the management failed to put any contrary material on the record. Before this Court, no other submission has been addressed except as already recorded



by the learned Authority.

7. For all of the aforementioned reasons, this Court finds no ground to entertain the present petition and the same is accordingly dismissed along with pending application.

MANOJ KUMAR OHRI, J

MAY 22, 2025/rd