



2025:DHC:4523-DB



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

Date of decision: 28.05.2025

+ LPA 365/2025
MS SHRI DURGA AUTOMOBILESAppellant

Through: Mr.Saurabh Rohilla,
Mr.Naveen Shokhanda,
Mr.Mohit Mehra, Advs. with
Mr.Ajay Parliwal, AR

versus

RAM DEVRespondent

Through: Nemo

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 33935/2025 (Exemption)

1. Allowed, subject to all just exceptions.

LPA 365/2025 & CM APPL. 33934/2025

2. This appeal has been filed by the appellant, challenging the Order dated 23.05.2025 passed by the learned Single Judge of this Court in CM APPL. No. 32063/2025 in W.P.(C) 1988/2025, titled ***M/s Shri Durga Automobiles v Ram Dev***. The grievance of the appellant is that the Writ Petition along with the stay application should be fixed for hearing on an urgent basis, that is, on a date prior to 28.05.2025.

3. The learned counsel for the appellant submits that the need to challenge the Impugned Order has arisen as the proceedings seeking enforcement of the Industrial Award dated 05.06.2024 are listed today



before the Joint Labour Commissioner.

4. We are not impressed with the submission made by the learned counsel for the appellant.

5. In the present case, the Industrial Award was passed on 05.06.2024, directing reinstatement of the respondent with continuity of service and full back-wages along with all consequential benefits. The appellant neither filed a written statement in those proceedings nor led any evidence. The appellant, thereafter, challenged the Impugned Award by way of the above Writ Petition, on or about December, 2024. When the matter was listed before the learned Single Judge on 17.02.2025, a request for adjournment was made by the appellant, and the Writ Petition was adjourned for consideration to 08.08.2025. The Court also observed as under:

“2. The petitioner has assailed labour court award dated 09.10.2021 (date is wrongly mentioned, it should be 05.06.2024), directing the petitioner to reinstate services of the respondent workman with full back wages. It appears that before the labour court neither written statement was filed on behalf of petitioner nor anyone appeared. Even the present petition suffers delay and laches.”

6. The appellant then filed the above application, on 18.05.2025, seeking preponement of the date of hearing. No steps were taken between February 2025 till the date of filing the application, for seeking preponement of the hearing. The learned Single Judge has, in fact, still granted an indulgence to the appellant and preponed the date of hearing by way of the Impugned Order to 10.07.2025.

7. We do not see any reason to grant further indulgence to the



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appellant, who itself has been sleeping over on its own remedy and has not taken the appropriate steps in time.

8. Accordingly, we do not find any merit in the present appeal. The same is, accordingly, dismissed. The pending application is also disposed of, being infructuous.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 28, 2025/Arya/DG

Click here to check corrigendum, if any