



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

% Date of Decision: 09.07.2025

+ **W.P.(C) 1512/2023, CM APPLs 5104/2024, 20811/2025**

NATIONAL INSTITUTE OF

PLANT GENOME RESEARCH

.....Petitioner

Through: Mr. G.D. Sharma, Advocate

versus

VIPIN KUMAR & ORS.

.....Respondents

Through: Mr. Utsav Jain, Advocate for
respondent no.1/workman.

Mr. R.P. Sharma, Advocate for
respondent no.2/contractor.

+ **W.P.(C) 10379/2024, CM APPL. 54884/2024**

M/S EAGLE HUNTER SOLUTION LTD

.....Petitioner

Through: Mr. R.P. Sharma, Advocate

versus

NATIONAL INSTITUTE OF PLANT

GENOME RESEARCH & ANR.

.....Respondents

Through: Mr. G.D. Sharma, Advocate for
respondent no.1.

Mr. Utsav Jain, Advocate for
respondent no.2/workman.

+ **W.P.(C) 14026/2024**

M/S EAGLE HUNTER SOLUTION LTD.

.....Petitioner

Through: Mr. R.P. Sharma, Advocate

versus

NATIONAL INSTITUTE OF PLANT

GENOME RESEARCH & ANR

.....Respondents



2025:DHC:5636



Through: Mr. G.D. Sharma, Advocate for
respondent no.1.

Mr. Utsav Jain, Advocate for
respondent no.2/workman.

+ **W.P.(C) 14415/2024**
EAGLE HUNTER SOLUTION LTDPetitioner
Through: Mr. R.P. Sharma, Advocate

versus

NATIONAL INSTITUTE OF PLANT GENOME
RESEARCH & ANRRespondents
Through: Mr. G.D. Sharma, Advocate for
respondent no.1.
Mr. Utsav Jain, Advocate for
respondent no.2/workman.

+ **W.P.(C) 2692/2025, CM APPLs 12822/2025, 12824/2025,
15088/2025**
NATIONAL INSTITUTE OF PLANT
GENOME RESEARCHPetitioner
Through: Mr. G.D. Sharma, Advocate

versus

SUBHASH CHANDRA AND ORS.Respondents
Through: Mr. Utsav Jain, Advocate for
respondent no.1/workman.
Mr. R.P. Sharma, Advocate for
contractor.

+ **W.P.(C) 4418/2025, CM APPL. 20328/2025**
NATIONAL INSTITUTE OF PLANT
GENOME RESEARCHPetitioner
Through: Mr. G.D. Sharma, Advocate



versus

NIRANJAN KUMAR AND ANR

.....Respondents

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

Mr. Utsav Jain, Advocate for respondent no.1/workman.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

JUDGMENT (ORAL)

1. By way of this common order, I shall dispose of the aforesaid petitions.

2. By way of present petitions, the petitioners – National Institute of Plant Genome Research/principal employer and M/S Eagle Hunter Solution Ltd./contractor – have assailed the impugned orders.

Pertinently, the workmen had approached the Authority under the Minimum Wages Act, 1948 with the grievance that they were paid wages as prescribed by the State Government instead of being paid minimum wages as prescribed by the Central Government, the latter being higher. The impugned orders while awarding such differential also awarded compensation of an equivalent amount as the awarded differential, to be jointly paid by the principal employer and the contractor. It is the latter part of the orders, i.e., award of compensation, which is under challenge before this Court in these proceedings.

3. A perusal of the record would show that the Statement of Claim filed by the workmen was not contested by the principal employer/contractor and the principal employer/contractors conceded to the claim and offered to pay



the differential amount.

4. Notably, in present proceedings, while in some petitions only notice were issued, in others, impugned orders were stayed subject to payment of only the awarded differential or the entire awarded amount.

5. Learned counsel appearing for the petitioner-principal employer states, upon instructions, that he has no objection if the amount deposited by the principal employer to the extent of only differential is released to the workmen alongwith the interest accrued thereon. In cases, where no such deposit is made, such amount would be released to the workmen alongwith the interest @ 8% per annum. Learned counsel however, contests the award of compensation by contending that once the petitioner had voluntarily agreed to pay the differential, the Authority ought not to have awarded further amount towards compensation. It is submitted that in fact, the subsequent contracts clearly stipulate that the workmen would be paid as per the minimum wages prescribed by the Central Government.

6. To appreciate the petitioner's contention, this Court deems it apposite to take note of Section 20 (3) of the Minimum Wages Act, 1948, which is reproduced as under:-

“...Section 20(3) of the Minimum Wages Act, 1948

(3) When any application under sub-section (2) is entertained, the Authority shall hear the applicant and the employer, or give them an opportunity of being heard, and after such further inquiry, if any, as it may consider necessary, may, without prejudice to any other penalty to which the employer may be liable under this Act, direct—

(i) in the case of a claim arising out of payment of less than the minimum rates of wages, the payment to the employee of the amount by which the minimum wages payable to him exceed the amount actually paid, together



with the payment of such compensation as the authority may think fit, not exceeding ten times the amount of such excess;

(ii) in any other case, the payment of the amount due to the employee, together with the payment of such compensation as the Authority may think fit, not exceeding ten rupees, and the Authority may direct payment of such compensation in cases where the excess or the amount due is paid by the employer to the employee before the disposal of the application... ”

7. A perusal of the aforesaid section would reflect that under sub-section (i), once the Authority reaches the conclusion that the wages less than the prescribed minimum were paid, it was empowered to direct payment of compensation not exceeding ten times of the amount of such excess.

8. The petitioners/principal employer and contractor, having conceded before the Authority of not paying wages as per the wages prescribed by the Central Government and rather, offering to pay the same, the directions to pay compensation of the equivalent amount as the awarded differential is found to be justified and reasonable.

9. In view of the aforesaid, this Court finds no grounds to interfere with the impugned orders and therefore, the challenge to the impugned orders is dismissed.

10. Let the amount deposited with the Registry be released to the concerned workmen alongwith the interest accrued thereon. The remaining awarded amount, wherever applicable, be paid to the concerned workmen by the petitioner/principal employer, alongwith interest @8% per annum, within four weeks from today.

11. At this stage, this Court takes note of the fact that in the earlier



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proceedings, the workmen had also prayed for grant of litigation expenses. The said prayer remains pending. Let a sum of Rs.20,000/- per workman be also released to them within four weeks from today, to be paid by the petitioner/principal employer.

12. The petitions, alongwith pending applications, are disposed of in the above terms.

MANOJ KUMAR OHRI
(JUDGE)

JULY 9, 2025/rd