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

% *Date of Decision: 17th April, 2025*

+ CM(M) 3696/2024, CM APPL. 62646/2024, CM APPL. 62647/2024
& CM APPL. 22406/2025

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

RAJERespondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

55

+ CM(M) 3723/2024 & CM APPL. 63457/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

ASHOKRespondent

Through:

56

+ CM(M) 3725/2024 & CM APPL. 63481/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

OM VEERRespondent

Through: Ms. Meghna De, Ms. L. Gangmee,
Ms. Surbhi Bagra and Mr. Ritwik Raj,
Advocates.

57

+ CM(M) 3726/2024 & CM APPL. 63483/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

ANITARespondent



Through: Ms. Meghna De, Ms. L. Gangmee,
Ms. Surbhi Bagra and Mr. Ritwik Raj,
Advocates.

58

+ CM(M) 3727/2024 & CM APPL. 63485/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.
versus
RAJANRespondent
Through: Ms. Meghna De, Ms. L. Gangmee,
Ms. Surbhi Bagra and Mr. Ritwik Raj,
Advocates.

59

+ CM(M) 3728/2024 & CM APPL. 63487/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.
versus
RAJ KUMARIRespondent
Through: Ms. Meghna De, Ms. L. Gangmee,
Ms. Surbhi Bagra and Mr. Ritwik Raj,
Advocates.

60

+ CM(M) 3729/2024 & CM APPL. 63490/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.
versus
SURESH CHANDRespondent
Through: Appearance not given.

61

+ CM(M) 3750/2024 & CM APPL. 64028/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.



versus

BINESH

.....Respondent

Through: Ms. Meghna De, Ms. L. Gangmee,
Ms. Surbhi Bagra and Mr. Ritwik Raj,
Advocates.

62

+

CM(M) 3751/2024 & CM APPL. 64065/2024

MUNICIPAL CORPORATION OF DELHI

.....Petitioner

Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.

versus

SHILA

.....Respondent

Through: Appearance not given.

63

+

CM(M) 3752/2024 & CM APPL. 64069/2024

MUNICIPAL CORPORATION OF DELHI

.....Petitioner

Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.

versus

PINKI & ANR.

.....Respondent

Through: Ms. Meghna De, Ms. L. Gangmee,
Ms. Surbhi Bagra and Mr. Ritwik Raj,
Advocates.

64

+

CM(M) 3807/2024, CM APPL. 66077/2024 & CM APPL.
22411/2025

MUNICIPAL CORPORATION OF DELHI

.....Petitioner

Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.

versus

RAMLESH

.....Respondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

65

+

CM(M) 3808/2024 & CM APPL. 66079/2024

MUNICIPAL CORPORATION OF DELHI

.....Petitioner



Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

SUSHIL

....Respondent

Through: Appearance not given.

66

+ CM(M) 3809/2024 & CM APPL. 66081/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

MUNESH PAL

.....Respondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

67

+ CM(M) 3811/2024, CM APPL. 66126/2024 & CM APPL.
22410/2025

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

MUKESH KUMAR

.....Respondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

68

+ CM(M) 3871/2024 & CM APPL. 67853/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

LATA

.....Respondent

Through: Appearance not given.



69

+

CM(M) 3873/2024 & CM APPL. 67861/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

ANIL

.....Respondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

70

+

CM(M) 3874/2024, CM APPL. 67865/2024 & CM APPL.
22224/2025

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

HOSHIARI

.....Respondent

Through: Appearance not given.

71

+

CM(M) 3893/2024 & CM APPL. 68444/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

RAJWATI

.....Respondent

Through: Appearance not given.

72

+

CM(M) 3894/2024 & CM APPL. 68446/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

LEELU

.....Respondent

Through: Appearance not given.

73



+ CM(M) 3895/2024 & CM APPL. 68448/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.
versus

BABURespondent
Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

74

+ CM(M) 3896/2024 & CM APPL. 68450/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.
versus

VINODRespondent
Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

75

+ CM(M) 3897/2024 & CM APPL. 68463/2024 & CM APPL.
22432/2025
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.
versus

SANTOSH KUMARRespondent
Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

76

+ CM(M) 3898/2024 & CM APPL. 68465/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.



versus

RAJKUMARRespondent

Through: Appearance not given.

77

+ CM(M) 3901/2024 & CM APPL. 68471/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.

versus

SHEESH PAL SINGHRespondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

78

+ CM(M) 3904/2024 & CM APPL. 68555/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.

versus

CHANDADEVIRespondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

79

+ CM(M) 3962/2024 & CM APPL. 70375/2024
MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.

versus

SAROJRespondent

Through:

80

+ CM(M) 3963/2024 & CM APPL. 70380/2024



MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

RAJ KUMARRespondent
Through: Appearance not given.

81

+ CM(M) 3966/2024 & CM APPL. 70395/2024
MUNICIPAL CORPORATION OF DELHI

.....Petitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

KAVITARespondent
Through: Appearance not given.

82

+ CM(M) 3967/2024 & CM APPL. 70401/2024
MUNICIPAL CORPORATION OF DELHI

.....Petitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

DHARAM PALRespondent
Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

83

+ CM(M) 3968/2024, CM APPL. 70410/2024 & CM APPL.
22408/2025



MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.
versus
SAVITRIRespondent
Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

84

+ CM(M) 3969/2024, CM APPL. 70433/2024 & CM APPL.
22409/2025

MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.
versus

RAJKALIRespondent
Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

85

+ CM(M) 3970/2024 & CM APPL. 70437/2024
MUNICIPAL CORPORATION OF DELHI

.....Petitioner
Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.
versus

GUDDIRespondent
Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

86

+ CM(M) 3971/2024, CM APPL. 70476/2024 & CM APPL.
22221/2025



MUNICIPAL CORPORATION OF DELHI

.....Petitioner

Through: Ms. Tajinder Virdi, Standing Counsel
for MCD.

versus

RAKESH

.....Respondent

Through: Mr. Sanjoy Ghose, Sr. Advocate with
Mr. Rohan Mandal, Mr. Mohit Garg
and Mr. R.K. Pandit, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Ms. Tajinder Virdi, learned Standing Counsel for MCD/Management has, during the course of the arguments, restricted relief with respect to waiver of the cost only.
2. She submits that in all the 33 matters, applications had been moved by the Management/MCD seeking dismissal of the applications filed by the workman under section 33-C (2) of Industrial Dispute Act, 1947 and learned Presiding officer, Labour Court, while dismissing all such applications, *vide* order dated 13.09.2024, burdened them with exemplary cost of Rs.20,000/- in each case. Such cost, instead of being paid to the opposite side, is to be deposited with *Delhi Legal Services Authority, Rouse Avenue, District Courts, Delhi*, within four weeks.
3. Ms. Virdi submits that the MCD/Management, while defending the matters, had simply moved applications in accordance with law and even if the applications were to be dismissed, there was no necessity of putting such cost. It is vehemently contended that the applications were not moved with



any ulterior motive or to delay the proceedings. According to her, the MCD/Management was seeking dismissal of the Applications of the workmen filed under 33-C (2) of Industrial Dispute Act, 1947 and therefore, it merely wanted to bring forth the malpractice of duplicity in initiating legal recourse by the Workmen, for similar claim and cause of action, before two different forums i.e. *Central Govt. Industrial Tribunal* as well as *Labour Courts*. According to her, the jurisdiction with respect to pending matters in question vested with *Central Govt. Industrial Tribunal* only and not with *Labour Court*. Therefore, those applications were moved and even if those lacked any merit, the cost, in such arbitrary manner, should not have been imposed.

4. There is appearance, in most of the matters today, from the side of the respondent and during course of the arguments, Mr. Sanjoy Ghose, learned Senior Counsel for the respondents/workmen have left it to this Court to pass appropriate order with respect to waiver of cost, while supplementing that the cost was imposed as the learned Labour Court was of the view that such applications could not have been filed as these were in teeth of the specific directions contained in order dated 13.08.2024 passed by this Court in W.P. (C) 10704/2024.

5. Having gone through the entire matter and keeping in mind the overall facts of the case as well as above order dated 13.08.2024, it is felt that imposition of cost of Rs. 20,000/- was excessive, particularly, when there is nothing to suggest any kind of malafide, behind moving said applications.

6. Resultantly, the cost is reduced to Rs.1000/- from Rs.20,000/- in each such case.



7. Let the cost be deposited within four weeks from today with the same Authority and proof of deposit be placed before the learned Labour Court.
8. Learned Senior counsel for respondents/workmen also submit that they would move appropriate application before the learned Labour Court seeking direction to, at least, release the admitted amount in favour of such workman. Such liberty is always available to them. It is, however, expected that, as and when any such application is moved, after giving due opportunity of hearing to both the parties, the same may be disposed of in accordance with law.
9. Learned Labour Court shall also make best endeavour to dispose of the claims, expeditiously.
10. All the present petitions, along with pending applications, stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

APRIL 17, 2025/ss/shs