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

+ LPA 735/2025, CM APPL. 76359/2025, CM APPL. 76360/2025, CM APPL. 76361/2025, CM APPL. 76362/2025 & CM APPL. 76363/2025
SUN TEC WEB SERVICES PVT.LTDAppellant

Through: Mr. Shyafiq Khan, Mr. Vikasdeep Sharma, Ms. Anjani Suri & Ms. Tanya Sharma, Advs.

versus

SUNIL KUMARRespondent

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE DINESH MEHTA

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

04.12.2025

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1. The appeal at hands is directed against the order dated 03.07.2025 whereby the learned Single Judge has rejected the writ petition filed by the petitioner against award dated 09.04.2024 passed by the Presiding Officer, Labour Court-X, Rouse Avenue Courts, New Delhi (*hereinafter referred to as 'the Labour Court'*) in LIR no. 1915/2021.

2. Admittedly, the petitioner-employer failed to lead any evidence in support of its contention that the respondent-workman had resigned, however, except for the bold assertion, documentary evidence was tendered before the Tribunal placing proof of resignation.

3. In such situation, the Labour Court did not accept the contention of the appellant-employer and allowed the claim filed by the respondent-workman.

4. Before the learned Single Judge, it was the contention of the appellant



that the written statement of the respondent-workman was very much there, asserting therein that the workman had resigned, hence, the Labour Court ought to have considered the same. The order of the Labour Court therefore, suffers from manifest error of law, argued learned counsel for the appellant.

5. Heard.

6. Learned Single Judge in para no. 5 of the impugned judgment has clearly held that since the appellant-workman has failed to lead evidence and cross-examine the workman in this regard, the Labour Court has committed no error of law in accepting the claim as filed by the respondent.

7. Considering that the appellant has invoked appellate jurisdiction under Clause 10 of the Letters Patent Act, which has a limited jurisdiction, we do not find any reason to interfere in the impugned order, which is otherwise just and valid in the facts and circumstances of the case.

8. We are in complete agreement with the view taken by learned Single Judge that if the appellant's plea was that the respondent-workman had resigned, they ought to have placed on record, copy of such resignation & lead requisite evidence in this regard.

9. Appeal so also all interlocutory applications therefore stand dismissed.

DINESH MEHTA, J.

GIRISH KATHPALIA, J.

DECEMBER 4, 2025/sr