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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2927/2019 & CM APPL. 13608/2019

**NATIONAL COUNCIL FOR PROMOTION OF URDU
LANGUAGE**

.....Petitioner

Through: Mr. L.R. Khatana, Advocate

versus

MOHD. ADNAN SIDDIQUI

.....Respondent

Through: Mr. Syed Mehdi Imam, Mohd. Parvez
Dabas, Mr. Uzmi Jameel Husain and
Ms. Syeda Aaliya Fatima, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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16.04.2026

1. The present writ petition is directed against the award dated 10.01.2018, passed by the Central Government Industrial Tribunal-cum-Labour Court-1, Dwarka, Delhi, in ID No.129/2013.
2. Vide the impugned award, an industrial dispute raised before the Tribunal was answered in favour of the workman, thereby directing the Management to reinstate the workman with 50% backwages and with continuity of service.
3. Briefly, the workman/claimant had approached the Tribunal by claiming that he was engaged by the National Council of Promotion of Urdu Languages (hereinafter referred to as the "Management") on 04.05.2005 as a Sales Attendant till 08.12.2010, when he was abruptly asked by the Director of the Management not to report for his duties from 09.12.2010. The workman has further claimed that he had worked for more than 240 days in



each calendar year and thus, his termination was illegal.

The Management, on the other hand, has denied the claim and stated that the workman was engaged through M/s Alert Enterprises on contractual basis in July 2010. Prior thereto, the workman was engaged intermittently on contractual basis. It was further stated that there is no relationship of employer and employee between the workman and the management.

4. On the basis of pleadings of the parties, the Tribunal framed the following issues:

- (i) Whether there exists relationship of employer and employee between the parties?
- (ii) Whether services of the claimant were allegedly terminated by the management on 08.12.2010?
- (iii) As in terms of reference

5. While the workman, in order to prove his case against the Management, had examined himself as WW1, the Management had examined *Sh. Mohd. Ahmad*, Junior Administrative-cum-Accounts Officer. The Tribunal answered Issue no.(i) in favour of the workman by noting that the attendance register filed by the Management as EX.WW1/1 to EX.WW1/30 would show that the workman was directly in the employment of the management, and was paid wages directly by them. While considering Issue No.(ii) and (iii), the Tribunal noted that the Management witnesses in its cross-examination, admitted that the workman was engaged in 2005 directly as an attendant.

6. In the aforesaid backdrop, the contention of the Management that the workman was in the employment of M/s Alert Enterprises was rejected.

7. During the course of submission, learned counsel for the workman, on



instructions, submits that on account of time lapse since the date of termination, the workman seeks compensation in lieu of the directions for reinstatement. It is stated that this submission was also noted in the order dated 29.11.2019 by this Court.

8. At this stage, this Court is reminded of the limited scope of its jurisdiction in view of the judgment of the Supreme Court in Syed Yakoob v. K.S. Radhakrishnan¹. In exercise of powers conferred under Article 226 of the Constitution of India, since it is not in the nature of appeal, but to seek if the order is passed without jurisdiction is perverse or did not follow principle of natural justice.

9. The Court also takes note of the decision of the Supreme Court in Bharat Sanchar Nigam Limited and Ors. vs. Kailash Narayan Sharma². The Court considered that in lieu of the lapse of time instead of reinstatement, monetary compensation be granted.

10. Considering the limited scope of challenge, as well as submissions made on behalf of the workman, this Court deems it fit that a lump sum compensation of Rs.2,00,000/- be paid by the Management to the workman in lieu of the award. Let the same be paid within eight (8) weeks from today.

11. The writ petition is disposed of with the aforesaid directions. Consequently, pending application shall stand closed.

MANOJ KUMAR OHRI, J

APRIL 16, 2026

pmc

¹ 1963 SCC OnLine SC 24

² (2014) 16 SCC 440