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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 15300/2022, CM APPL. 47479/2022
LANCER CONVENT SENIOR
SECONDARY SCHOOLPetitioner
Through: Mr. S.N. Gupta, Advocate.

versus

GOVT OF NCT OF DELHI AND ANRRespondents
Through: Mr. Ramjeet Pandey, Advocate for
respondent no.2.

+ W.P.(C) 15304/2022
LANCER CONVENT SENIOR
SECONDARY SCHOOLPetitioner
Through: Mr. S.N. Gupta, Advocate.

versus

GOVT OF NCT OF DELHI AND ANRRespondents
Through: Mr. Ramjeet Pandey, Advocate for
respondent no.2.

+ W.P.(C) 15315/2022
LANCER CONVENT SENIOR
SECONDARY SCHOOLPetitioner
Through: Mr. S.N. Gupta, Advocate.

versus

GOVT OF NCT OF DELHI AND ANRRespondents
Through: Mr. Ramjeet Pandey, Advocate for
respondent no.2.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
12.02.2026

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1. By way of the present petitions filed under Articles 226/227 of the Constitution of India, 1950, the petitioner seeks quashing of the proceedings pending before the learned Labour Court-IX, Rouse Avenue Courts, New



Delhi vide LCA No.39/2019, 40/2019 and 41/2019 titled as 'Naresh Kumar v. Lancer Convent Senior Secondary School', 'Mehtab Singh Sheikh v. M/S Lancer Convent Senior Secondary School', and 'Suresh Kumar v. Lancer Convent Senior Secondary School', respectively.

2. Learned counsel appearing for the petitioner submits that while *Suresh*, respondent no.2 in W.P. (C) 15304/2020, was appointed as driver in the petitioner-establishment in the year 1997, *Naresh Kumar* and *Mehtab Singh Shaikh*, being respondent no.2 in W.P. (C) 15300/2020 and W.P. (C) 15315/2022 respectively, were appointed in the year 2003.

3. Learned counsel submits that subsequently their services were terminated and on a dispute being raised, the learned Labour Court passed an award on 13.01.2014, thereby granting a lumpsum compensation of Rs.50,000/- in lieu of reinstatement of service.

4. The respondents however, challenged the aforesaid award vide writ petition being W.P.(C) No. 1254/2014. This Court vide common order dated 18.12.2014 disposed of the said writ petition thereby enhancing the lumpsum compensation from Rs.50,000/- to Rs.2,50,000/- i.e., by granting an additional amount of Rs. 2,00,000/-. The said order passed by this Court were challenged before the Supreme Court whereby the SLPs came to be dismissed.

5. It is stated that the respondents thereafter filed a second claim application before the Labour Court, this time seeking benefit of the Sixth Pay Commission. During the pendency of the industrial disputes, the parties reached an amicable settlement and the said disputes were disposed of after recording the statements of the AR of the workmen as well as the AR of the management on 11.04.2017. The relevant extract of the award passed on that



date is as under:-

“2. On completion of pleadings, issues were framed in the present case on 08.03.2011 and now the case is at the stage of workmen evidence. However, today the Ld. ARs for the parties appeared before this tribunal and submitted that the matter has been settled between the parties. Statements of Ld. ARs for the parties to this effect have been recorded, which are being reproduced as follows:-

Statement of Sh. Markandey Shukla, Ld. AR for workmen

On SA

I, on behalf of workmen, state that the workmen do not wish to pursue the present reference and want to withdraw the same due to settlement arrived at between them and the management in the same. Applications moved in this regard both on behalf of the management and the workmen are Ex. A-I and Ex. A-2 respectively. Ex. A-2 is bearing my signature at point A thereon. My statement is true and correct. It is, therefore, prayed that the present reference be disposed of as settled and award be passed accordingly.

RO&AC

Sd/(ARW)

Sd/-

(Chandra Gupta)

POIT/KKD Delhi 11.04.2017

Statement of R.K. Anand, Ld. AR for management.

On SA

I have heard the above statement of Ld. AR for workmen. Same is true and correct. Ex. A-I is bearing my signature at point A thereon. My statement is true and correct. It is, therefore, prayed that the present reference be disposed of as settled and award be passed accordingly.

RO&AC

Sd/(ARM)

Sd/- (ARM)

Sd/-



(Chandra Gupta)
POIT/KKD Delhi/11.04.2017

3. In view of the above statements on behalf of the parties regarding settlement, present reference stands disposed of as settled and settlement-award is passed accordingly.”

6. Thereafter, a third claim application came to be filed after a gap of two years on 24.01.2019 again seeking benefit of Sixth Pay Commission. However, this time, the factum of filing of the second claim application for the same relief was not disclosed.

7. Learned counsel for the petitioner submits that non-disclosure of filing of the second claim application as well as the award passed on 11.04.2017 is a serious misconduct on the part of the respondents-workmen.

8. Learned counsel appearing for the respondent-workmen after going through the record also concedes to the fact that the third claim application has not disclosed the factum of filing of second claim application as well as passing of the settlement award on the same. He, however, submits that no consideration was paid during the said settlement.

9. A perusal of the third claim application would show that not only the factum of filing second claim application was not disclosed, the settlement arrived between the parties and the award passed on the same were not disclosed either. There is no averment to the effect that the settlement terms were not complied with by the present petitioner. Withholding of vital documents from the Court is a serious matter. The respondents-workmen by withholding the aforesaid facts, by filing the third claim application, have committed a serious misconduct and the same is clearly an abuse of the process of law. A gainful reference in this regard can be made to the



decision in ‘Dalip Singh v. State of Uttar Pradesh and others’¹, the relevant extract of which are as under:-

“6. In S.P. Chengalvaraya Naidu v. Jagannath the Court held that where a preliminary decree was obtained by withholding an important document from the Court, the party concerned deserves to be thrown out at any stage of the litigation.”

10. In view of the aforesaid discussion, the present petitions are allowed and the proceedings pending before the learned Labour Court are hereby quashed.

11. The petitions, along with pending applications, stand disposed of accordingly.

MANOJ KUMAR OHRI, J

FEBRUARY 12, 2026/rd

¹ (2010) 2 SCC 114