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

+ **CONT.CAS(C) 1090/2023**

RAJ KUMAR SHARMA AND ORSPetitioners

Through: Ms.Meghna De and Mr.Siddharth Sapra,
Advocates

versus

SHRI SANTOSH KUMAR RAI AND ORSRespondents

Through: Mr. Avnish Ahlawat Standing
Counsel GNCTD

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+ **W.P.(C) 16393/2022, CM APPL. 51467/2022 and
CM APPL. 34363/2023**

JAIVIR AND ORSPetitioners

Through:

versus

GOVT OF NCT OF DELHI AND ORSRespondents

Through: Mr. Avnish Ahlawat Standing
Counsel GNCTD

60

+ **W.P.(C) 16850/2022 and CM APPL. 53352/2022**

SH RAJ KUMAR SHARMA AND ORSPetitioners

Through: Ms.Meghna De and Mr.Siddharth Sapra,
Advocates

versus

GOVT OF NCT OF DELHI AND ORSRespondents

Through: Mr. Avnish Ahlawat Standing Counsel
GNCTD

Mr.Shivnath Kumar, Advocate for respondent
No.2

Ms.Anubha Bhardwaj, CGSC with Ms.Anchal
Kashyap and Ms.Ananya, Advocates for UOI



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+ W.P.(C) 16964/2022, CM APPL. 53760/2022 and
CM APPL. 59124/2023
SH SHIV SHANKAR AND ANRPetitioners
Through:
versus
GOVT OF NCT OF DELHI AND ORSRespondents
Through: Mr. Avnish Ahlawat Standing
Counsel GNCTD

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+ CONT.CAS(C) 467/2024
SH JAIVIR AND ORSPetitioners
Through:
versus
SH ASHWANI KUMAR AND ORSRespondents
Through: Mr. Avnish Ahlawat Standing
Counsel GNCTD

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+ CONT.CAS(C) 469/2024
SH SHIV SHANKAR AND ANRPetitioners
Through:
versus
SH ASHWANI KUMAR AND ORSRespondents
Through: Mr. Avnish Ahlawat Standing
Counsel GNCTD

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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10.03.2026

1. By way of the present writ petitions filed under Article 226 of the Constitution of India, the petitioners seek directions to the respondents to comply with the direction/notice issued by the Union of India through the Assistant Labour Commissioner (Central), Ministry of Labour and



Employment vide which the respondent was advised not to change the service condition of the workmen or terminate their services during the pendency of the dispute.

2. The petitioners further impugned the Office Order dated 22.11.2022 issued by the Revenue Department, GNCTD vide which it was directed that all the Data Entry Operators (DEOs), who had previously worked in Sub-Registrar Offices in Delhi, be surrendered and immediately replaced.

3. On petitions being filed, this Court, vide order dated 13.12.2022 had directed that the respondents shall maintain *status quo* the services of the petitioners as existing on that date.

4. Notably, the present petitions have been filed in the context of industrial disputes raised by the petitioners/workmen, who have claimed that they were engaged in the capacity of Data Entry Operators(DEOs) working in the establishment of Deputy Commissioner/District Magistrate, in different districts, Government of NCT of Delhi as outsourced workers on the basis of contract entered into between the Govt. of NCT of Delhi and the Contractor(s). It is claimed that the duties performed by the DEOs are of perennial and continuous in nature and the workers have been working against sanctioned vacant posts of LDC/UDC. It is further claimed that though the workmen are working under the direct and complete supervision of Management No.1, they are shown as the employees engaged through the contractor.

5. Being aggrieved with the non-regularization of their services and denial of proper pay scale, allowances, difference of salaries paid and salary of proper pay-scale of DEO, LDC/UDC on the principle of equal pay for equal work, the petitioners approached the Conciliation Officer seeking



regularization of their services along with the benefits as per pay-scale of DEO, LDC/UDC posts.

6. Learned counsel for the petitioners submits that in some cases, respondent no.1's contract with respondent no.2/Contractor(s) has expired and a new Contractor has been engaged. The petitioners have approached this Court apprehending termination of their services by the respondents.

7. Pertinently, writ petitions were filed at the stage when conciliation proceedings were pending and an order directing the respondents not to change the service conditions as well as not to terminate their services during pendency of the dispute was already passed. Concededly, thereafter the matter is now stated to be pending before the Central Government Industrial Tribunal (CGIT).

8. A gainful reference is made to the decision of the Supreme Court in Shripal and Anr. Vs. Nagar Nigam, Ghaziabad, reported as **(2025) SCC OnLine SC 221**, wherein while taking note of Section 6E of the U.P. Industrial Disputes Act, 1947, which is *pari materia* to Section 33 of the Act, it was held that unilateral alteration in service conditions, including termination, is impermissible during the pendency of industrial dispute unless prior approval is obtained from the appropriate authority.

9. Learned counsel for respondent no.1 submits that the petitioners were engaged through respondent no.2 and, with the passage of time, a new contractor has been engaged in some of the districts. He, on instructions, submits that the service conditions of the petitioners will not be altered during the pendency of the dispute.

10. During the pendency of the writ petitions, the petitioners have also filed Contempt Petitions alleging that that despite passing of the *status quo*



order by this Court, the respondents have not taken the petitioners' biometric and their user IDs were deactivated. Further, their attendance was not allowed to be marked.

11. Learned counsel for the petitioners, on instructions, submits that the petitioners are continued to be engaged as DEOs. In view of the same, learned counsel for the petitioners submits that he does not press the present contempt petitions.

12. Accordingly, the writ petitions are also disposed of with liberty to the petitioners to raise the issues relating to biometric, attendance register and user ID before the concerned CGIT. Leave and liberty is granted.

MANOJ KUMAR OHRI, J

MARCH 10, 2026/pmc