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

+ **W.P.(C) 16423/2023**

AMIT KAUSHIK AND ORS

.....Petitioners

Through: Mr. V. Subramoniam T.R., Mr. R. Bansal, Mr. Hari Vishnu Tiwari, Mr. Vashu Chaudhary and Mr. Harsh Anand, Advocates.

versus

GOVT OF NCT OF DELHI AND ORS

.....Respondents

Through: Ms. Avnish Ahlawat, SC for GNCTD Services with Mr. Nitesh Kumar Singh, Ms. Aliza Alam, Ms. Laavanya Kaushik and Mr. Mohnish Sehrawat, Advocates.
Mr. Gaurav Dhingra and Mr. Shashank Singh, Advocates for GNCTD.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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08.09.2025

1. This hearing has been done through hybrid mode.

CM APPL. 14567/2024

2. Allowed, subject to all just exceptions. Application is disposed of.

REVIEW PET. 88/2024

3. The present review petition under Section 114 read with Order 47 Rule 1 and Section 151 of the CPC seeks the following prayers:-

“(a) Review the judgment and order dated 24.01.2024 for the reasons stated above and the aforesaid writ petition may be heard on its own merits;

(b) Any other relief which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”



4. Issue notice.
5. Learned counsel appearing on behalf of the petitioner/non-applicant accepts notice and submits that they have no objection if the present review petition is allowed.
6. The present review petition has been filed on account of the fact that while disposing of the captioned petition *vide* order dated 24.01.2024, the following observations were made:-

“12. In view of the aforesaid discussion, petitioners are directed to approach the CGIT with an application, if not filed, within two weeks from today seeking interim relief and the learned CGIT is directed to decide the dispute in relation to the entitlement of petitioner for the grant of any interim relief as expeditiously as possible in accordance with law without being influenced by any of the proceedings before this Court. It is further directed that the CGIT shall not grant any unnecessary adjournments to either party.

13. The parties are also directed to cooperate in the proceedings before the learned CGIT and GNCTD is directed to not to take any coercive action in respect of the petitioners till the decision of the interim application pending before learned CGIT. Accordingly, the instant batch of petitions is disposed of along with pending applications, if any.”

7. It is pointed out that in the present case, the petitioners had never raised any industrial dispute. It is further pointed out that the present petition was tagged alongwith certain other petitions, namely, Akash Verma And Ors v. Govt. of NCT of Delhi and Anr. in W.P.(C) 14020/2023, however, the present petition came to be disposed of in the same terms even when no industrial dispute was raised on behalf of the petitioners herein. It is pointed out that several similarly placed petitioners in Ravi Kumar and Ors. v. Govt. of NCT of Delhi and Ors. in W.P.(C) 14738/2023 had also filed petition challenging



the circular dated 31.10.2023 without raising the industrial dispute and therefore, have challenged the order dated 24.01.2024 passed by learned Predecessor Bench by way of filing an appeal, LPA No. 87/2024, wherein Hon'ble Division Bench *vide* order dated 01.02.2024 set aside the order dated 24.01.2024 passed by learned Single Judge and remanded the matter back to the learned Single Judge for deciding the validity of the circular dated 31.10.2023 which is assailed in the present petition. Relevant portion of the order dated 01.02.2024 is as under: -

“6. Having perused the impugned order and the stand taken by the parties, we are in agreement with the learned counsel for the parties that the learned Single Judge has proceeded to dispose of the writ petition without examining the validity of the circular dated 31.10.2023, which was specifically assailed by the appellants.

7. In these circumstances, we have no other option but to set aside the impugned order and remand the matter back to the learned Single Judge for examining the validity of the impugned circular dated 31.10.2023.

8. List the matter before the learned Single Judge on 09.02.2024.

9. It is, however, made clear that this Court has not expressed any opinion on either the validity of this circular or the rival submissions of the parties.

10. The appeal is, accordingly, allowed by setting aside the impugned order dated 24.01.2024 and remanding the matter back to the learned Single Judge for deciding the validity of the respondent's circular dated 31.10.2023 assailed before the learned Single Judge.”

8. It is pointed out that the present petition was also disposed of alongwith the said Writ Petition by way of the same order dated 24.01.2024.

9. In view of the above and no objection from learned counsel for the petitioners, the present review petition is allowed and disposed of



accordingly.

10. The captioned writ petition is restored to its original number.

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11. Learned counsel appearing on behalf of the respondents seeks time to file a counter affidavit. Let the same be filed before the next date of hearing, with an advance copy to learned counsel for the petitioners.

12. List on 12.11.2025.

AMIT SHARMA, J

SEPTEMBER 08, 2025/sn