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

+ **W.P.(C) 12398/2025, CM APPL. 50583/2025**

POONAM & ORS.

.....Petitioners

Through: **Mr. Arjun Singh, Advocate.**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Bhagwan Sawrup Shukla, CGSC with Mr. Sarvesh, GP and Mr. Sarvan Kumar, Advocate for UOI. Major Kanika Sharma (Army) for R-1 to 4. Mrs. Avnish Ahlawat, SC for GNCTD Services with Mr. N.K. Singh, Ms. Aliza Alam, Mrs. Tania Ahlawat and Mr. Mohnish Sehrawat, Advocates.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

24.03.2026

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1. The present writ petition has been filed by the Petitioners, who claim to have been working as Billing Clerks/Cashiers at Unit Run Canteens¹ located at Shankar Vihar, Rao Tula Ram Marg, New Delhi, under the Integrated Headquarters,² Ministry of Defence.³ The Petitioners allege that they have been performing duties under the control and supervision of Respondents No. 3 and 4, namely, the Commanding Officer and the Canteen

¹ "URCs"

² "IHQ"



Officer. Their grievance pertains to the alleged illegal and arbitrary termination of their services without issuance of any show cause notice or affording them an opportunity of hearing. Accordingly, the Petitioners seek directions against Respondents No. 1 to 4 for their reinstatement in service along with consequential benefits.

2. It is the case of the Petitioners that they have been working continuously for several years. Petitioner No. 1 asserts employment since 2009 and while Petitioners No. 2 to 4 claim it since 2016. They place reliance on documents such as Police Clearance Certificates, identity cards, and security passes to contend that they were regularly engaged in the functioning of the URCs and were working under the direct control of Respondents No. 3 and 4. It is contended that the services of the Petitioners have been terminated without issuance of any show cause notice, without assigning reasons, and without affording them an opportunity of hearing, and are therefore arbitrary and violative of the principles of natural justice.

3. Per contra, Respondents No. 1 to 4 raise a preliminary objection to the maintainability of the present petition. It is contended that there exists no employer-employee relationship between the Petitioners and Respondents No. 1 to 4, and that the Petitioners were, in fact, engaged by Respondent No. 5, namely, Angel Enterprises, which is a private entity. It is further submitted that any grievance with respect to termination would lie against Respondent No. 5, and the Petitioners cannot invoke the writ jurisdiction of this Court against Respondents No. 1 to 4 in the absence of any privity of employment.

4. On a specific query put by this Court as to whether any appointment

³ “MoD”



letters or other documents evidencing an employer-employee relationship with Respondents No. 1 to 4 had been issued to the Petitioners, counsel for the Petitioners fairly concedes that no such appointment letters exist. Reliance is, however, placed upon a cheque issued by CSD QD Accounts, IHQ of MoD (Army), for an amount of Rs. 10,764/- dated 9th December, 2016.

5. Apart from the aforesaid solitary cheque, no other document has been placed on record which would indicate the existence of any employer-employee relationship between the Petitioners and Respondents No. 1 to 4. Even insofar as the said cheque is concerned, the same, in the absence of any supporting material, does not by itself establish any employer-employee relationship, nor does it demonstrate appointment, control, or supervision by Respondents No. 1 to 4. The security passes relied upon by the Petitioners are merely indicative of access to the premises and appear to be a mandatory requirement for civilians working within the IHQ of MoD (Army) Camp. Such documents, by themselves, do not establish any relationship of employment.

6. On the contrary, the Petitioners themselves have placed on record the e-Pehchan Card issued by the Employees' State Insurance Corporation for the year 2021, wherein the employer is reflected as "Angel Enterprises", i.e., Respondent No. 5.

7. In the absence of any cogent material evidencing a direct employer-employee relationship with Respondents No. 1 to 4, no direction can be issued to the said Respondents for reinstatement of the Petitioners.

8. The Petitioners' grievance, if any, with respect to alleged illegal termination would lie against Respondent No. 5, which is a private entity.



The Petitioners are at liberty to avail such remedies as may be available to them in accordance with law before the appropriate forum. It is clarified that this Court has not examined the merits of the case and all rights and contentions of the parties are kept open.

9. In view of the above, the present petition is dismissed along with pending application(s), if any.

SANJEEV NARULA, J

MARCH 24, 2026/ab