$~33& 34

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

\# **CNR No. DLHC016757262015**

\+ W.P.(C) 2476/2016

NORTH DELHI MUNICIPAL CORPORATION.....Petitioner

Through: Mr. Anuj Chaturvedi, Ms. Richa Dhawan and Ms. Yashita Jain, Advocates

versus

BRIJ LAL AND ORS .....Respondents

Through: Mr. Ashok Aggarwal and Ms. Anjali Bansal, Advocates

\# **CNR No. DLHC011942632018**

\+ W.P.(C) 8703/2018

NORTH DELHI MUNICIPAL CORPORATION.....Petitioner

Through: Mr. Anuj Chaturvedi, Ms. Richa Dhawan and Ms. Yashita Jain, Advocates

versus

VED PAL & ORS .....Respondents

Through: Mr. Ashok Aggarwal and Ms. Anjali Bansal, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

O R D E R

% 28.10.2026

1. The present petitions have been filed by the North Delhi Municipal Corporation (hereinafter, the "petitioner/management") assailing the awards dated 29.06.2015 passed by the learned Labour Court, *Karkardooma Courts, Delhi,* in LCA No.15/2015 (old LCA No.90/2006), titled *Brij Lal &Ors. v. MCD,* and LCA No.04/2015 (old LCA No.121/2006), titled *Ved Pal &Ors. v. MCD*, whereby the claims of the

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 02/11/2026 at 11:46:07

respondents-workmen for computation of monetary benefits towards the cost of uniforms/liveries and stitching charges were allowed.

2. The respondents-workmen were employed in the Horticulture Wing of the erstwhile Municipal Corporation of *Delhi* and were working in different categories, including as *Malis* (Gardeners). Their case before the learned Labour Court was that they were entitled to the cost of uniforms/liveries and stitching charges in terms of the circulars issued by the Department of Personnel and Training, Government of *India*, which had been adopted by the management. It was their case that the requisite liveries had not been supplied and that they had purchased the same themselves, while the management had only paid washing allowance.

3. The earlier proceedings were remanded to the learned Labour Court pursuant to the judgment dated 16.12.2014 passed by this Court in *W.P.(C) 2226/2011*, titled *Workmen of MCD v. MCD and Ors*., with a direction to determine the quantum of dues payable towards uniform cloth and stitching charges in terms of the circulars dated 09.09.1986 and 04.01.1996 and in accordance with law.

4. The petitioner/management has assailed the awards on the ground that the learned Labour Court failed to appreciate the material on record and mechanically allowed the claims of the workmen. It contends that the workmen had failed to discharge the burden of establishing that uniforms had not been supplied to them. The petitioner further challenges the computation of the monetary benefit, contending that the amounts awarded are arbitrary and not supported by the evidence.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 02/11/2026 at 11:46:07

5. *Per contra*, the respondents/workmen claimed that they were entitled to the cost of uniforms/liveries and stitching charges in terms of the applicable circulars. Their case was that the management had not supplied the requisite uniforms and had only paid washing allowance. The claims were accordingly made for computation of the monetary benefit for the relevant block years.

6. This Court has considered the submissions made on behalf of the parties and perused the records of the learned Labour Court.

7. In the proceedings concerning *Brij Lal* and other workmen, the learned Labour Court considered the entitlement to uniforms/liveries for the relevant block years. It noted that the workmen had not established non-supply of uniforms for the remaining period. The Labour Court, however, proceeded to compute the benefit for the periods for which the uniforms were found not to have been provided. Taking into account the applicable circulars and rates, it computed the amount payable at Rs. 4,700/- per workman, comprising Rs. 3,500/- towards the other components and Rs. 848/- towards summer uniform for the block years 1997-1999 and 1999-2001, along with Rs. 352/- towards stitching charges.

8. In the proceedings concerning *Ved Pal* and other workmen, the learned Labour Court also examined the claims in the light of the applicable circulars and the evidence led by the parties. The benefit of uniforms/liveries was computed at Rs. 3,412/- for each applicant, except applicant No.7, for whom the amount was computed at Rs. 3,162/-. The application under Section 33-C(2) of the Industrial Disputes Act, 1947,

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 02/11/2026 at 11:46:07

was disposed of accordingly.

9. The issue which arises for consideration is whether the learned Labour Court, while determining the monetary benefit under Section 33-C(2) of the Industrial Disputes Act, 1947, correctly applied the relevant circulars governing uniform cloth and stitching charges. The proceedings were pursuant to the remand order dated 16.12.2014 passed by this Court in W.P.(C) 2226/2011, whereby the Labour Court was directed to determine the monetary entitlement in accordance with the circulars dated 09.09.1986 and 04.01.1996. The Labour Court was, therefore, required to ascertain the existing entitlement and compute the monetary benefit payable to the workmen in terms of the applicable circulars.

10. The petitioner has questioned the aforesaid computation on the ground that the workmen had failed to establish non-supply of uniforms and that the amounts awarded were arbitrary. However, the Labour Court's findings regarding the periods for which uniforms were not supplied and the computation of the monetary benefit are required to be read together. The fact that the workmen failed to establish non-supply for the entire period claimed does not, by itself, negate the entitlement found established for the remaining period. The question is whether the benefit computed for such period is referable to the applicable circulars and the material on record.In *Central Bank of India Ltd. v. P.S. Rajagopalan*[1], the Supreme Court held that proceedings under Section 33-C(2) are analogous to execution proceedings and permit computation of an existing entitlement.

[1]1963 SCC OnLine SC 158

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 02/11/2026 at 11:46:07

Further, in *MCD v. Ganesh Razak*[2], it was held that the Labour Court cannot adjudicate an entitlement which itself requires prior determination. In the present cases, the computation was undertaken pursuant to the remand directions and with reference to the circulars governing the entitlement.The award in W.P.(C) 2476/2016 notes that the workmen failed to establish non-supply for the entire period claimed and restricts the computation to the entitlement found established. The petitioner has not demonstrated that the Labour Court awarded amounts for a period which stood disallowed or that the computation adopted was contrary to the applicable circulars. The mere disagreement with the appreciation of evidence or the quantum computed would not, by itself, warrant interference in exercise of writ jurisdiction.

11. The challenge, insofar as it seeks reconsideration of the findings regarding non-supply and the computation of the monetary benefit, must therefore be examined within the limited supervisory jurisdiction of this Court.The scope of interference under Articles 226 and 227 of the Constitution is supervisory and not appellate. In *Syed Yakoob v. K.S. Radhakrishnan*[3], the Supreme Court held that interference with findings of fact is warranted where the findings are based on no evidence, suffer from perversity or disclose an error of law apparent on the face of the record. In the present cases, no such infirmity has been demonstrated. The petitioner has failed to establish that the learned Labour Court exceeded the scope of

[2](1995) 1 SCC 235
[3] AIR 1964 SC 477

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 02/11/2026 at 11:46:07

the remand or applied the circulars incorrectly.

12. In view of the aforesaid, this Court finds no ground to interfere with the impugned awards dated 29.06.2015 passed by the learned Labour Court in LCA No.15/2015 and LCA No.04/2015.

13. Accordingly, both the petitions are dismissed.

MANOJ KUMAR OHRI, J

OCTOBER 28, 2026/na

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 02/11/2026 at 11:46:07