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

+ **W.P.(C) 11249/2018**

SHIV MURTI YADAV

.....Petitioner

Through:Mr.S.N. Parashar and Mr.Ritik Singh,
Advocates

versus

THE JOINT LABOUR COMMISSIONER AND ANR.

.....Respondents

Through:Mr.MuditTalesara, Advocate for respondent
No.2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

16.03.2026

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CM APPL. 43685/2018 (additional documents)

1. By way of the present application, the applicant/petitioner seeks to place on record additional documents (Annexure P-2 and Annexure P-3).
2. Learned counsel for the petitioner submits that vide the impugned order dated 02.06.2018, the claim application came to be dismissed on the stand taken by the management that there was no employer-employee relationship. He submits that prior to the filing of the claim application, the petitioner had approached the concerned authority under the Delhi Shops & Establishments Act, 1954 for payment of earned wages. In the said proceedings, the respondents were directed to pay earned wages for a sum of Rs. 21,066/- for the



period from 28.02.2013 to 08.05.2013. The said amount was also deposited by the respondents in the petitioner's account, for which he has filed a copy of the documents.

3. Learned counsel for the petitioner submits that the said order has attained finality and the amount was deposited in the petitioner's account, for which the petitioner also seeks to place on record his account details of Bank of Baroda.

4. Learned counsel for the respondent submits that the petitioner was aware of the said documents and, despite being aware and in possession of the same, did not file the said documents before the Labour Court.

5. Considering that, before the Labour Court, the respondents had denied the employer-employee relationship, this Court is of the considered opinion that the application deserves to be allowed, as it goes to the root of the claim application.

6. In view of the above, the present application is disposed of.

W.P.(C) 11249/2018

1. As the issue would have a bearing on the merits of the claim itself, it is deemed appropriate to remand the matter back for fresh consideration. The appellant shall be at liberty to place his documents on record, and the respondent shall also be at liberty to cross-examine the claimant, if so desired.

2. In view of the above, the present petition is disposed of, and the matter be listed before the concerned Labour Court on 30.03.2026.

MANOJ KUMAR OHRI, J

MARCH 16, 2026/na