

IN THE COURT OF MR. SATYABRATA PANDA, ADJ-04,  
PATIALA HOUSE COURTS, NEW DELHI

CS NO. 1108 OF 2018

BAIDYA NATH YADAV VS. DELHI SIKH GURUDWARA MANAGEMENT COMMITTEE  
AND ORS.

09.06.2022

Present: Mr. Vikram Saini, Ld. Counsel for plaintiff with plaintiff in person.  
Mr. Abinash K. Mishra, Ld. Counsel for defendant.

Ld. Counsel for plaintiff has filed affidavit of admission of documents.

Arguments heard on the application u/s 151 CPC for restraining the defendants from hiring employees on contract basis from open market as per the advertisement.

Defendant has filed a reply affidavit dated 27.09.2019 in which it is stated that under the advertisement only previously terminated employees have been recruited and preference was given to the persons having prior date of joining. Ld. Counsel for defendant has also placed on record copies of order dated 17.07.2017 passed by Hon'ble High Court in WPC no.5075/2017 and order dated 26.08.2019 passed by Hon'ble High Court in WPC no.12017/2018.

Ld. Counsel for plaintiff submits that his application u/s 151 CPC may be disposed of on the similar terms as per order dated 26.08.2019 in WPC no.12017/2018 observing that in the event the plaintiff succeeds in the present suit, his rights shall be protected subject to the final out come of the present suit. Ld. Counsel for defendant does not object if this observation is given. Accordingly, the present application is disposed off without passing any order of restraining upon defendant, however, observing that the matter shall be subject to final out come of the suit.

Both the parties have filed proposed issues and submitted that the case may be adjourned.

Put up for settlement of issues on 21.09.2022.

(SATYABRATA PANDA)  
Additional District Judge-04  
Judge Code- DL01057  
PHC/New Delhi/09.06.2022