

20 EX 1204/24

BRUJESH VS. MUNICIPAL CORPORATION OF DELHI

18.10.2024

Present: Sh. Ayush Garg Ld. Proxy Counsel for Sh. R.K.Pandit  
Ld Counsel for the DH.  
Ms. Mansi Ld. Proxy Counsel for Sh. Ankit Kaushal,  
Ld Counsel for the JD/MCD .

At this stage, Ld Counsel for the DH has prays of issuance of warrants of attachment for a sum of Rs. 2115218.48/- which is statedly calculated by the DH in terms of the award dated 19.08.2020 of Ld POLC. Pertinently, no specific amount has been quantified in the said order of Ld Labour Court and in such circumstances, this Court is constrained to depend upon the calculation filed on behalf of parties.

Keeping in view of the said fact, MCD was directed on 14.08.2024 to file the calculation quantifying the amount payable to the DH in terms of the order dated 19.08.2020. However, no calculation has been filed on behalf of MCD.

At this stage, Ld. Proxy Counsel for MCD seeks adjournment to file calculation on behalf of MCD which is vehemently opposed by the Ld Counsel for the DH .

Heard. Record perused.

Perusal of record shows that the MCD stood served in the present matter on 28.06.2024 and no calculation has been filed by the MCD since than despite having been given opportunity for the said purpose. As such no ground has been made out by the MCD for further adjournment and also for the reason that the amount in the present execution has been awarded

to the DH /workman under a welfare legislation, there is no point in further delaying the payment thereof to the DH, request for adjournment is accordingly declined.

At this stage, Ld Counsel for the DH prays for issuance of warrants of attachment in terms of the calculation filed on behalf of DH which is to the tune of Rs. 2115218.48/-.

In view of the fact that MCD has failed to file any calculation in respect of the award , this Court is of the opinion that it has no objection to the calculation as made by the DH.

In view of the same, let warrants of attachment for a sum of Rs. 2115218.48/- be issued against the JD/MCD of the Bank Account no. 41010068213, State Bank of India, Chandani Chowk Branch Delhi on PF subject to the filing of self attested copies of ID proof/Identity card issued by the MCD)/PAN card/Aadhaar card, BMID number and Ward number/zone as well as photocopy of the passbook of the DH (if already not filed). Steps be taken within 2 weeks from today.

DH is also directed to file affidavit that there is no stay or appeal pending against the present execution petition.

It is directed that concerned Bank Manager shall remit the said amount to the Court after attachment after attachment either in the form of demand draft or banker's cheque in the name of the DH.

Now to come up for further proceedings on **23.01.2025.**

(NEERAJ SHARMA)  
District Judge-04(Central)  
Tis Hazari Courts Delhi  
18.10.2024