

\$~40

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

+ **W.P.(C) 633/2020**

FOOD CORPORATION OF INDIA WORKERS' UNION

..... Petitioner

Through: Mr. Rana Mukherjee, Sr. Advocate
along with Mr. R.R. Kumar AND Ms. Kanika
Sharma, Advs.

versus

MINISTRY OF LABOUR AND EMPLOYMENT AND ORS.

..... Respondents

Through: Mr. Vijay Joshi, Sr. Panel Counsel
along with Mr. R.M. Tripathi, Adv. for R1 & R2.
Mr. Om Prakash, Mr. R.R. Pathak and Mr. Pradeep
Kumar Tripathi, Advs. for R3 & R4.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

17.01.2020

C.M.No.1790/2020 (for exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 633/2020

2. The present writ petition filed by the Food Corporation of India Workers' Union primarily assails the decision of respondent no.3 to not extend the benefits of the Post Retirement Medical Scheme to the departmental workers.

3. Learned senior counsel for the petitioner submits that the respondent no.3 has, without any justifiable reasons, excluded the departmental workers from the purview of the said Scheme even

though they were covered by the earlier Scheme on the said subject i..e Medical Health Scheme.

4. Issue notice. Mr. Vijay Joshi, Senior Panel Counsel accepts notice on behalf of respondents No.1 and 2. However, Mr. Om Prakash, Adv. appears for respondent No.3 and 4. They pray for and are granted six weeks' time to file counter affidavit. Rejoinder thereto, if any, be filed within four weeks thereafter.

5. At request, list on 18.05.2020.

REKHA PALLI, J.

JANUARY 17, 2020

'sdp'