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

+ **W.P.(C) 3205/2024**

UMESH SAINI

..... Petitioner

Through: Mr. Tarun Sharma, Mr. Abid Ali and
Mr. Manek Sharma, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.

..... Respondents

Through: Ms Sriparna Chatterjee, Standing
Counsel for MCD and Mr. Soumitra
Chatterjee and Mr. Manish,
Advocates.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **04.03.2024**

CM APPL. 13161/2024 (Exemption)

1. Exemption allowed subject to just exceptions.
2. The application stands disposed of.

W.P.(C) 3205/2024

3. The instant petition under Articles 226 and 227 of the Constitution of India has been filed on behalf of the petitioner seeking the following reliefs:

“(a) allow the present Writ Petition in favour of the Petitioner and against the Respondents;

(b) issue an appropriate Writ of Certiorari or the necessary Directions while exercising the Powers of Superintendence over the Presiding Officer: Labour Court-X: Rouse Avenue District Courts: New Delhi 110 002 to set aside the Impugned



Industrial Award dated 02.12.2023 passed to decide upon the Industrial Dispute registered vide LIR No. 3847 of 2018 under the Title "Anuj Yadav Versus Municipal Corporation of Delhi & another";

(c) also issue another appropriate Writ of Mandamus or the necessary Directions against the Respondents for the Reinstatement of the Petitioner as an Allopathic Pharmacist along with all the Consequential Benefits in the form of Continuity of Service, Full Back Wages, Compensation, etc.;
and

(d) pass such other or further Orders as may be deem fit & proper in the Interest of Justice under the Circumstances of the present Case.”

4. Heard.

5. Issue notice. Learned counsel for the respondent no. 1/MCD appeared on advance notice and vehemently opposed the instant petition. She prayed for four weeks' time to file counter affidavit. Let the same be filed within four weeks as prayed. Rejoinder thereto, if any, be filed within two weeks thereafter.

6. Issue notice to the respondent no. 2 through all permissible modes on filing PF within one week.

7. List on 5th August, 2024.

8. Lower Court Record be requisitioned before the next date of hearing.

9. Meanwhile, the parties are directed to file their written submission along with convenience compilation before the next date of hearing.

CHANDRA DHARI SINGH, J

MARCH 4, 2024

rk/ryp

Click here to check corrigendum, if any