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

+ **W.P.(C) 2503/2020**

SOUTH DELHI MUNICIPAL CORPORATION Petitioner

Through: Mr. Arun Birabal & Mr. Sanjay
Singh, Advocates.

versus

JASPAL

..... Respondent

Through: Mr. Jawahar Raja, Ms. Meghna De,
Ms. L. Gangmei, Mr. Archit Krishna
& Ms. Varsha Sharma, Advocates.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **31.01.2022**

1. This hearing has been done through video conferencing.

CM APPL. 40746/2021(u/s 17B of the ID Act)

2. This is an application filed on behalf of the Respondent/Workman seeking payment of wages under Section 17B of the Industrial Disputes Act, 1947 (*hereinafter, "Act"*).

3. Mr. Arun Birbal, Id. Counsel for Petitioner/SDMC, submits that there is no evidence which shows that the Respondent/Workman has taken any alternate employment.

4. Under these circumstances, in terms of Section 17B of the Act, the last drawn wages or the minimum wages, whichever is higher, would be liable to be paid to the Respondent/Workman from the date of the impugned award 9th September, 2019. Ordered accordingly.

5. The said wages would be payable, subject to the outcome of the present petition, in respect of the difference between last drawn wages and



the minimum wages. Let an undertaking to this effect be filed within four weeks.

6. Application is disposed of in these terms.

W.P.(C) 2503/2020 & CM APPL. 8730/2020(for stay)

7. Mr. Arun Birbal, Id. Counsel shall place on record the details of the criminal prosecution which is stated to be underway.

8. The records of the Lower Court in ***ID No.169/2012*** titled ***Shri Jaspal v. The Management of Municipal Corporation of Delhi*** be requisitioned for the next date. Parties are permitted to obtain electronic copies of the same from the Registry, upon request.

9. List on 12th July, 2022.

10. Interim order to continue.

PRATHIBA M. SINGH, J.

JANUARY 31, 2022

dj/ad