



\$~12

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

+ **W.P.(C) 2877/2020**

SMT. TARAWATI

.....Petitioner

Through: Mr. Rajiv Agarwal, Ms. Meghna De,
Ms. Surbhi Bagra and Ms. L.
Gangmei, Advocates

versus

THE LABOUR COMMISSIONER AND ORS. Respondents

Through: Ms. Namrata Mukim, Advocate for R3

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

03.03.2025

%

[Physical Hearing/Hybrid Hearing (as per request)]

1. Costs dated 31.01.2025 has not been paid by respondent no. 3 till date. Learned counsel for respondent no. 3 undertakes to pay the said cost within three days. The same be done failing which respondent no. 3 shall pay to petitioner further cost of Rs. 10,000/-.
2. Briefly stated, award dated 20.02.2008 was passed in favour of the petitioner and against the present respondent no. 3 by the Industrial Tribunal. Since the said award was not implemented, the present petitioner filed a complaint before the Deputy Labour Commissioner concerned under Section 2(ra) read with Item 13 of the Fifth Schedule of the Industrial Disputes Act. The petitioner contended that the present respondent no. 3 is guilty of unfair labour practice, so was liable to be prosecuted. That



complaint dated 16.01.2018 has not been decided by respondents no. 1 and 2 till date. Hence, the present petition.

3. Learned counsel for respondent no. 3 contends that they had already complied with the directions of the award. But if that be so, nothing prevents respondents no. 1 and 2 to dispose of the complaint.

4. But it appears that vide order dated 15.01.2021, the predecessor bench issued notice only to respondent no. 3.

5. Subject to petitioner taking steps within one week, notice through all modes be issued to the respondent no. 1 and 2 also, returnable on 23.04.2025.

GIRISH KATHPALIA, J

MARCH 3, 2025/as

[Click here to check corrigendum, if any](#)