



\$~40

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

+ **W.P.(C) 5155/2025 and CM APPL. 23461/2025**

SUJIT KUMAR & ORS.

.....Petitioners

Through: Mr.Anurag Kumar Tiwary, Advocate

versus

THE PRESIDING OFFICER CGIT & ANR.Respondents

Through: Mr.Rakesh Sinha, Mr.MG Akbar,
Ms.Nandini Sharma and Mr.Sushant Shekha,
Advocates for respondent No.2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

28.04.2025

1. At the outset, learned counsel for the petitioners seeks deletion of respondent No.1 from the array of parties. Accordingly, respondent No.1 is deleted from the array of parties.

2. By way of present petition filed under Articles 226 read with 227 of the Constitution of India, the petitioners seek following reliefs: -

“A. Issue an appropriate writ, order or direction, in the nature of mandamus directing the Learned Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court-II, Rouse Avenue, Delhi to pronounce the award in Industrial Dispute No.10/2003 at the earliest, preferably within a time-bound frame.”

3. Pertinently, the petitioners are workmen, who have been engaged in various roles such as Electricians, Sweepers, Attendants, Typists, Stenographers, Clerks, Cooks, and Security Guards at the Hazira Plant of



Oil and Natural Gas Corporation Ltd. (ONGC)/respondent (as per amended memo of parties) since the year 1984. The petitioners, alongwith other similarly situated persons, statedly around 50 in number, being aggrieved with the action of respondent No.1 qua termination of their engagement, approached the Tribunal vide Reference dated 10.01.2003. In the petition, it is claimed that Reference remaining pending since the year 2003, the same has been delayed on account of the respondent's callousness. It is further stated that qua one of the interim proceedings, the order was challenged upto Supreme Court vide Civil Appeal No. 2780/2012. The said appeal came to be disposed of on 13.03.2012, with a direction that the Reference be decided within a period of three months from the said date. Apparently, in spite of the aforesaid directions, the Reference remained pending.

4. During the course of hearing, learned counsel for the petitioners has drawn the attention of the Court to the orders passed in various proceedings by the learned Tribunal, wherein costs were imposed on the respondent including, for delaying the examination of witnesses.

5. A perusal of the proceedings dated 20.12.2023 records that out of 46 workmen, 19 have expired. Further perusal of the proceedings reveals that many of the applicants have expired/retired during the pendency of the proceedings.

6. Learned counsel for the respondent disputes the contention qua the allegation of delay on its part.

7. Concededly, the final arguments were addressed before the Tribunal on 26.04.2024 and since then, the Award is awaited. On the last date of hearing, Ms. Laavanya Kaushik, learned counsel for Union of India was directed to take instructions. Today, she submits that out of the two



designated Tribunals, only one is currently functional.

8. Be that as it may, the present case depicts a sorry state of affairs. The Reference has remained pending before the Tribunal for about 22 years, despite directions for earlier disposal by the Supreme Court way back in the year 2012.

9. In view of the above, the present petition is disposed of alongwith the pending application with a direction that Tribunal shall dispose of the Reference within a period of four weeks from today.

10. Let a copy of this order be communicated to the concerned Tribunal through special messenger.

11. The petitioners shall be at liberty to place a copy of this order before the learned Secretary and apprise the concerned Tribunal of the order/direction passed today.

MANOJ KUMAR OHRI, J

APRIL 28, 2025

na