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

+ CONT.CAS(C) 230/2011 and CM APPL. 40033/2017, CM APPL. 8953/2020, CM APPL. 21965/2020, CM APPL. 24394/2024, CM APPL. 36225/2024, CM APPL. 60299/2024, CM APPL. 60307/2024

ALL INDIA CPWD EMPLOYEES UNIONPetitioner

Through: Mr. Deepak Khadaria, Adv.

versus

CS PRASAD DG CPWD

.....Respondent

Through: Mr. Rajesh Gogna, CGSC with Mr. Nipun Jain, Ms. Priya Singh, Advs. with Mr. Vinayak Rai and Mr. Rajesh Kumar Kaushal, CPWD

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+ CONT.CAS(C) 260/2017

JOGINDER KUMAR SHARMA

.....Petitioner

Through: Mr. Deepak Khadaria, Adv.

versus

ABHAY SINHA & ANR

.....Respondents

Through: Mr. Rajesh Gogna, CGSC with Mr. Nipun Jain, Ms. Priya Singh, Advs. with Mr. Vinayak Rai and Mr. Rajesh Kumar Kaushal, CPWD

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+ CONT.CAS(C) 413/2017 and CM APPL. 20455/2020, CM APPL. 20456/2020, CM APPL. 20457/2020

VIRENDER SINGH & ORS

.....Petitioners

Through: Mr. Deepak Khadaria, Adv.

versus

ABHAY SINHA & ANR

.....Respondents

Through: Mr. Rajesh Gogna, CGSC with Mr. Nipun Jain, Ms. Priya Singh, Advs. with Mr. Vinayak Rai and Mr. Rajesh Kumar Kaushal, CPWD



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CONT.CAS(C) 641/2020

ALL INDIA CPWD EMPLOYEE UNIONPetitioner

Through: Mr. Deepak Khadaria, Adv.

versus

SHRI VIVEK BANSAL DEPUTY DIRECTOR GENERAL
CPWDRespondent

Through: Mr. Rajesh Gogna, CGSC with
Mr. Nipun Jain, Ms. Priya
Singh, Advs. with Mr. Vinayak
Rai and Mr. Rajesh Kumar
Kaushal, CPWD

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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07.11.2024

1. Mr. Vinayak Rai, Deputy Director General (HR-I), CPWD and Mr. Rajesh Kumar Kaushal, Director General of CPWD are present through video conferencing.
2. A Status Report dated 06.11.2024 has been filed on behalf of the respondent.
3. In paragraph (02) of the Status Report it is indicated as under:-

‘2. That it is respectfully submitted that in compliance of the directions of the Hon’ble High Court of Delhi, Shri Rajesh Kumar Kaushal, Director General, CPWD, has recommended the proposal to the Ministry of Housing & Urban Affairs vide E-office (Note) dated 30.10.2024 for further necessary action with regard to implementation of para 'q' & 'r' of the arbitration award in respect of the 142 employees/applicants in the Contempt Case (Civil) No. 230/2011 to comply with the various orders of the Hon'ble High Court of Delhi in this regard.’
4. It is apparent that there is no compliance to the previous directions passed by this Court and the contemnors are deliberately avoiding compliance to the directions of this Court.
5. However, it is further pointed out that a SLP vide Dy. No. 151206/2024 has been preferred before the Supreme Court. Learned



CGSC for the respondent submits that they would be mentioning the matter today and tomorrow and some time is requested. Learned counsel for the petitioner raises strong objections to the grant of any further time to the respondents.

6. Let the matter be placed for hearing after two weeks, as requested.

7. Re-notify on 27.11.2024 at 12:30 PM.

8. Deputy Director General of CPWD is directed to appear through video conferencing, on the next date of hearing at 12:30 PM. Since Mr. Rajesh Kumar Kaushal has retired on reaching the age of superannuation, he may not appear in person or through vc on the next date of hearing. But he is reminded that despite giving him time of more than one year in the instant matter to comply with the directions of the Court, he is clearly in contempt and shall be dealt with in accordance with law.

9. At this stage, learned counsel for the petitioner points out that a small typographical error in the earlier order i.e. 29.10.2024 to the effect that the Award dated 31.01.1998 as modified *vide* order dated 28.01.1992, and the date of modification is inadvertently typed as '25.09.1998', the said mistake stands corrected.

10. Let the presence of the learned counsel for the petitioner be also reflected in the earlier order i.e. 29.10.2024. A fresh order be uploaded in view of the order passed today.

DHARMESH SHARMA, J.

NOVEMBER 07, 2024

Sp/SS