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

+ W.P.(C) 2698/2007 & CM APPL. 5044/2007

EX.ENGINEER U.DIVISION CPWDPetitioner

Through: Mr. Vijay Joshi and Ms. Katyani
Joshi, Advs.

versus

SUMBHARIRespondent

Through: Mr. Anuj Aggarwal, Ms. Kritika and
Mr. Pradeep Kumar, Advs.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

23.07.2024

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1. Learned Counsel for the Petitioner submits that an affidavit in compliance of the order date 07.09.2022 has since been filed. He further seeks to rely upon a judgment passed by a Coordinate Bench of this Court in W.P.(C) 2656/2007 titled *Executive Engineer U Division v. Ram Prasad & Anr.* which was upheld by a Division Bench of this Court, to submit that personnel similarly placed as Respondent who have worked with the Petitioner, were held to be Contractors and not Workmen or Employee, and thus the Award in their favour of regularisation was set-aside.

2. Learned Counsel for the Respondent, on the other hand, contends that the judgment cited by the Petitioner is not applicable to the present matter, in view of the fact, that the Respondent was an employee of the Petitioner from the year 1988. He seeks to rely upon the evidence produced by the Petitioner before the learned Trial Court.

3. Registry is directed to place on record the digital copy of the Trial Court Record duly paginated and bookmarked in accordance with the rules of the High Court.



4. In the meantime, learned Counsel for the parties seek and are granted time to file their respective written synopsis, not exceeding three pages each, at least one week before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon.

4.1 All judgments sought to be relied upon by the learned Counsel for the parties shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

5. List on 13.11.2024.

TARA VITASTA GANJU, J

JULY 23, 2024/r

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