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

+ **CONT.CAS(C) 912/2025 CM APPL.-36464/2025 & CM
APPL.36465/2025**

ANAND KUMAR GAUTAM

.....Petitioner

Through: Mr. Atul Kumar Srivastav & Mr.
Umesh Kumar, Advs.

versus

RAJESH KUMAR KAUSHAL

.....Respondent

Through: Ms. Bharti Raju, SPC for UOI
(thru VC)

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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30.05.2025

CM APPL.-36466/2025

1. This application has been filed seeking condonation of delay of 65 days in filing the contempt petition.
2. For the reasons stated in the application, the same is allowed and delay stands condoned.
3. Application stands disposed of.

CONT.CAS(C) 912/2025

1. This petition alleges wilful disobedience of order dated 19th March 2023 passed by this Court in **W.P.(C) No. 6799/2007**. The order passed is as under:



22. The respondent workmen had served for over 11 years, the Tribunal held them to be entitled to regularization within 2 months of the publication of the impugned award. Accordingly, the impugned Award was passed in the favour of the respondent workmen.

23. Since it is an admitted fact that the respondent workmen were working with the petitioner for more than 11 years, this Court is of the view that the learned Labour Court has rightly held that the respondents are entitled to be regularized as the work done by the respondents is of perennial and permanent nature.

24. The learned Labour Court has further correctly opined that though the respondents were engaged via contract managers, however, the respondents have been consistently working with the petitioner without any interruption despite there being a change in the contract manager. Hence, the contractor is only a label of a bottle which changed from time to time but the contents of the bottle always remain the same i.e. the respondent workmen

25. Accordingly, the impugned award rightly holds that the respondent workmen are entitled to be regularized.

26. In view of the aforesaid submissions, the impugned award dated 21st February 2007 in ID No.74/2001 passed by the learned Central Government Industrial Tribunal-cum-Labour Court merits no interference and is thus upheld.

2. Petitioner's counsel points out to Tribunal's Award dated 21st February 2007, in that, regularisation had to be given, within 2 months of the publication of the Award.

3. However, respondent chose to challenge the same; said challenge was dismissed *vide* order dated 19th March 2024, yet they have still not regularised.



4. *Ms Bharti Raju*, Advocate appears on behalf of respondent through VC and states that there was a *stay* on operation of the award during pendency of the writ petition, she further states that they have oral instructions to file an LPA.
5. LPA has not been filed yet and there are no adverse orders impeding the respondent from implementation of order dated 19th March 2024 read with award dated 21st February 2007 of the Tribunal.
6. It is accordingly directed that if compliance is not made, within the next 8 weeks, concerned officer shall be present before the Court, either physically or through VC, on the next date.
7. The excuse of an LPA, particularly after the limitation period has expired, is not acceptable to this Court. The petitioner has been agitating this matter since a long time and has benefit of two positive decisions in his favour.
8. Accordingly, list for '*compliance*' on 24th September 2025.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 30, 2025/sm/kp