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

+ **W.P.(C) 10425/2019**

SH. RAVINDER SHARMA Petitioner
Through: **Mr. Shashwat Singh Gaur, Adv.**

versus

M/S FORTIS FLT. LT. RAJAN DHALL HOSPITAL..... Respondent
Through: **None.**

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **25.09.2019**

CM No.43026/2019 (for exemption)

1. Exemption allowed, subject to all just exceptions. The application is disposed of.

CM No.43027/2019 (for exemption of LCR)

2. Exemption allowed, subject to all just exceptions.
3. Let Lower Court record be requisitioned before the next date.
4. The application is disposed of.

W.P.(C) 10425/2019

5. The present writ petition assails the award dated 11.12.2018 passed by the learned Labour Court-XIX, Dwarka Courts, New Delhi in LIR No.7460/16 whereunder the petitioner's claim was rejected on the ground that the petitioner had himself taken voluntarily retirement from service and all his dues had been credited to his bank account.
6. Learned counsel for the petitioner submits that the learned



Labour Court while rejecting the petitioner's claim has relied on a e-mail dated 29.01.2015 which e-mail was specifically disputed by the petitioner, but has still been relied upon by the Court merely because it was purportedly sent from the ID account of the petitioner which was being maintained by the respondent hospital itself. Learned counsel for the petitioner further draws my attention to the specific averment in the rejoinder filed before the Labour Court to the effect that the petitioner was still willing to rejoin the service but was not permitted to do so by the respondent.

7. Issue notice to the respondent by ordinary process and speed post, returnable on 20.01.2020.

REKHA PALLI, J

SEPTEMBER 25, 2019
gm