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

\+ **W.P.(C) 9715/2024 & CM Appl.39823/2024**

M/S SEWA ELECTERICALS INDUSTRIES PVT.LTD. .....Petitioner

Through: Mr. Om Prakash Gupta, Mr. Radhey Shyam, Ms. Silky Gupta, Mr. Bijender Kumar Jindal, Mr. Ravikant Sharma and Ms. Rupam Kumari Jaiswal, Advs.

versus

SHRI SHAUKAT ALI .....Respondent

Through:

**CORAM:**

**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**O R D E R**

% **18.07.2024**

**CM Appl.39824/2024*[Exemption from filing certified copies]***

1. Allowed, subject to just exceptions.

2. The Application stands disposed of.

**W.P.(C) 9715/2024 & CM Appl.39823/2024*[Stay]***

3. The present Petition has been filed by the Petitioner impugning an award dated 21.11.2023 passed by the learned Presiding Officer, Labour Court-IV, Rouse Avenue Courts, New Delhi. By the Impugned Award, the Petitioner was directed to reinstate the Respondent with full back-wages as per the last drawn wages with effect from 12.02.2018 along with all other consequential benefits.

4. Learned Counsel for the Petitioner submits that the Respondent in the present Petition had worked with the Petitioner for approximately 13 years. It is further submitted that the Respondent stopped attending work and thereafter, left the services on 12.02.2018 without informing the Petitioner consequent to being instigated by a Trade Union with which he was engaged.

4.1 Learned Counsel for the Petitioner seeks to rely upon an order dated

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28.06.2024 passed by a Coordinate Bench of this Court in W.P.(C) 8730/2024 and other connected matters to submit that there were 9 aggrieved workmen of the Petitioner, 5 of whom have previously filed their Petitions before the Court which were listed on 28.06.2024. The Respondent in the present Petition is similarly placed as those 5 workmen.

5. Issue Notice. On steps being taken, let Notice be served to the Respondent *via* all modes, *dasti* as well. An affidavit of service be filed within a week.

6. Counter-Affidavit be filed within a period of three weeks.

6.1 Rejoinder, if any, be filed before the next date of hearing.

7. In the meantime, and with a view to maintain parity amongst similarly placed workmen, subject to the Petitioner depositing 50% of the amount of back wages calculated in terms of the Impugned Award within two weeks, the operation of the Impugned Award is put in abeyance till the next date of hearing. It is clarified that in the event, no deposit is made within the stipulated time, the directions of interim relief shall automatically stand dissolved.

8. List along with W.P.(C)8730/2024 and other connected matters on 07.08.2024.

9. Parties will act based on the digitally signed copy of the order.

**TARA VITASTA GANJU, J**

**JULY 18, 2024/r** *Click here to check corrigendum, if any*

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