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

+ **W.P.(C) 11566/2019**

THE MANAGEMENT OF AIRPORT AUTHORITY OF INDIA

..... Petitioner

Through: Mr.Vaibhav Kalra with Ms.Neha
Bhatnagar, Advs.

versus

SH. MANOJ KUMAR

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **01.11.2019**

C.M. No.47514/2019 (for exemption)

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

W.P.(C) 11566/2019 & C.M. No.47513/2019 (for stay)

2. At the outset, learned counsel for the petitioner submits that there is a typographical error in the heading and the prayer clause of the writ petition as the date of the award has been reflected therein as 08.05.2009 instead of 08.05.2019 and the ID number has been erroneously reflected as ID No.25/16 instead of ID No.25/15. He prays for and is granted three days' time to file a corrected copy of the writ petition after incorporating the aforesaid correction.

3. The present writ petition filed by the management assails the award dated 08.05.2019 passed by the Industrial Tribunal-I, Rouse



Avenue Courts Complex, New Delhi in ID No.25/15. Under the impugned award, the learned Labour Court while holding that the termination of the workman/respondent was illegal, directed the petitioner to reinstate him in service with 60% backwages.

4. Learned counsel for the petitioner submits that the award is wholly perverse and the learned Labour Court despite noticing the stand of the petitioner that the respondent had been engaged only for a limited period between 04.07.2008 to 05.09.2013 through a Contractor, has directed the petitioner to reinstate the respondent in service without appreciating the fact that the respondent was never an employee of the petitioner.

5. Upon the petitioner filing process fee along with the corrected copy of the writ petition within three days, issue notice to the respondent by ordinary process and speed post, returnable before the concerned Registrar on 16.01.2020.

6. Subject to the petitioner depositing with the Registrar General of this Court upto date backwages in terms of the impugned award within four weeks, the operation of the impugned award shall remain stayed.

REKHA PALLI, J

NOVEMBER 01, 2019

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