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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1388/2016

EAST DELHI MUNICIPAL CORPORATION Petitioner

Through: Mr.Kumar Rajesh Singh, SC, MCD

versus

RAJNI SHARMA

..... Respondent

Through: Ms.Meghna De & Ms.L.Gangmei,
Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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27.03.2023

1. The present petition was preferred by the erstwhile East Delhi Municipal Corporation (EDMC) now Municipal Corporation of Delhi (MCD), assailing the recovery certificate dated 08.01.2016.
2. It is the common case of the parties that the impugned recovery certificate was issued in pursuance to the award dated 16.04.2001 passed by the learned Industrial Tribunal in ID No.14/1998. It is also admitted that the petitioner's challenge to the said award by way of W.P.(C)4177/2002 already stands rejected by this Court on 02.03.2015.
3. As per the award dated 16.04.2001, the respondent was required to be reinstated as a Lower Division Clerk (LDC)/typist instead of a *beldar* with back wages and all other consequential benefits. While it is the respondent's case that as the petitioner did not pay back wages to the respondent as per the post of LDC/typist, he was compelled to approach the learned Deputy Labour Commissioner for issuance of



the impugned recovery certificate, it is the petitioner's case that the entire dues of the respondent stand paid. This assertion is not supported by any document on the record.

4. In the interest of justice, the petitioner is granted 10 days' time to file an affidavit clearly setting out as to how the respondent has been paid back wages in terms of the award dated 16.04.2001 for the post of LDC/typist.
5. List on 04.05.2023.

MARCH 27, 2023

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REKHA PALLI, J