



\$~50

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

+ **W.P.(C) 12393/2019**

DEEN DAYAL UPADHYAY HOSPITAL Petitioner
Through: **Mr.Prateek K. Chadha, Adv.**

versus

PAPPI DEVI Respondent
Through: **None.**

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 25.11.2019

C.M. No.50642/2019

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

W.P.(C) 12393/2019 & C.M. No.50641/2019 (for stay)

The present petition filed by the management seeks to assail the award dated 23.11.2015 in LIR No.181/16 passed by the Labour Court-X, Dwarka Courts, Delhi. Under the impugned award the learned Labour Court has, after holding that the respondent had been in the petitioner's employment for more than 240 days immediately preceding the date of her termination, held that the petitioner had illegally terminated her from service and directed that a lump sum compensation of Rs.70,000/- be paid to her.

Learned counsel for the petitioner submits that while holding that the respondent had been in continuous employment of the petitioner for 240 days preceding the date of her termination the



learned Labour Court has failed to appreciate the effect of the respondent's own statement during her cross-examination, which clearly showed that she had been employed through a contractor.

Issue notice to the respondent by ordinary process and speed, post, returnable before the concerned Registrar on 29.01.2020.

Subject to the petitioner depositing the awarded amount with the Registrar General of this Court within four weeks, the operation of the impugned award shall remain stayed till the next date.

DASTI.

REKHA PALLI, J

NOVEMBER 25, 2019
gm