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

+ **W.P.(C) 12922/2019**

ELENTEC INDIA PRIVATE LIMITED

..... Petitioner

Through: Mr.S.S. Sastry with Mr.Rajesh Pandit,
Mr.Brijesh Tiwari & Mr.Navin
Kumar, Advs.

versus

YOGESH PAL SINGH

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **10.12.2019**

C.M. No.52732/2019 (for exemption)

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

W.P.(C) 12922/2019 & C.M. No.52731/2019 (for stay)

1. The present writ petition filed by the Management assails the ex-parte award dated 14.10.2017 passed by the learned Labour Court-XIX, Karkardooma Courts, Delhi in LIR No.6242/2016. Under the impugned award, the learned Labour Court, after holding that the services of the respondent had been illegally terminated, has directed the petitioner to reinstate the respondent with 75% backwages.
2. Learned counsel for the petitioner submits that the impugned award is wholly unsustainable as the Court has failed to see the effect of the respondent's response dated 28.07.2014 to the petitioner's



show cause notice dated 15.07.2014 asking him to join duties from a perusal whereof it was evident that the respondent had duly received the show cause notice dated 15.07.2014 wherein he had been called upon by the petitioner to join the duty at Greater Noida, where he had been transferred.

3. Issue notice to the respondent by ordinary process and speed post, returnable before the concerned Registrar on 04.02.2020.

4. Subject to the petitioner depositing a sum of Rs.10 lakhs with the Registrar General of this Court within eight weeks, the operation of the impugned award shall remain stayed.

REKHA PALLI, J

DECEMBER 10, 2019

gm