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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11772/2024**

KAMLA

.....Petitioner

Through: Mr. Chirayu Jain, Adv.

versus

DELHI BUILDING AND OTHER CONSTRUCTION WORKERS
BOARD

.....Respondent

Through: Mr. Abhay Dixit, Adv.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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28.08.2024

CM Appl.48969/2024*[Exemption from filing typed copies]*

1. Allowed, subject to the Petitioner filing typed copies of dim annexures within a period of four weeks.
2. The Application stands disposed of.

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3. The present Petition has been filed on behalf of the Petitioner impugning an order dated 05.04.2024 passed by the Respondent/Board rejecting the application for marriage assistance filed by the Petitioner [hereinafter referred to as “the Impugned Order”].
4. Learned Counsel for the Petitioner submits that the Petitioner is a building worker registered under the Building and Other Construction Workers Act, 1996 [hereinafter referred to as “the Act”] and on 29.11.2021, when two daughters of the Petitioner got married, she became eligible for Rs.1,02,000/- as financial assistance as per Rule 282 of the Delhi Building and Other Construction Workers Rules, 2002 as amended by Notification No.F.10(13)/Env/2015/1610-1632 dated 04.03.2016.



5. Both the applications filed by the Petitioner for financial assistance were rejected by a common order dated 05.04.2024.

6. Learned Counsel for the Petitioner submits that a perusal of the Impugned Order shows that the Petitioner's registration has not lapsed on that date since it is valid for a period of one year after 29.07.2021 in terms of Section 17 of the Act. He seeks to rely upon a judgment of the Division Bench of this Court dated 22.02.2024 in ***National Campaign Committee for Central Legislation on Construction Labour v. Delhi Building and Other Construction Workers***; 2024 SCC OnLine Del 1257 in this regard.

6.1 Learned Counsel for the Petitioner further submits that it is clear from serial no. 3 of the Impugned Order itself that the registration is valid on that date. He seeks to rely upon a table which is extracted along with the document which is reproduced below:

"Details of renewal of membership

S.No.	Issue on Date	Last Live Membership valid upto Date
xxxx	xxxx	xxxx
Membership was lapsed for 1 year 04 months and		
3.	01-Dec-2021	29-Jul-2021

7. Learned Counsel for the Respondent, who appears on advance service, submits requests for some time to take instructions in the matter.

8. List on 04.10.2024 in the supplementary list.

9. Learned Counsel for the parties seek and are granted time to file their short note of contentions in the matter at least one week before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon. All judgments sought to be relied upon by the learned Counsel for



the parties shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

TARA VITASTA GANJU, J

AUGUST 28, 2024/r

Click here to check corrigendum, if any