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

+ **W.P.(C) 2962/2010**

DELHI JAL BOARD

.....Petitioner

Through: Ms. Richa Kapoor, Mr. Kunal Anand,
Mr. Shisham Pradhan, Ms. Udipti
Chopra, Ms. Sanchari Banerjee,
Adv.

versus

MEHMOOD AHMED & ORS.

.....Respondent

Through: Mr. Sher Afgon, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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01.05.2025

CM APPL. 56922/2023 (release of amount)

1. This application has been filed on behalf of the legal heirs of respondent no.1/*Late Sh. Mehmood Ahmed*, who passed away on 15th April 2021.
2. The writ petition had been filed by the Delhi Jal Board challenging the order dated 24th January 2007 passed by the *Presiding Officer, Industrial Tribunal*, which held that the respondent/workman's termination was illegal and directed reinstatement w.e.f. 30th December 2001, with continuity of service and full back-wages under the Minimum Wages Act, 1948.
3. On 26th November 2014, the application under Section 17B of the Industrial Disputes Act, 1947 (**'ID Act'**) moved by the workman, was allowed by this Court, and the amounts consequent thereto that have been



deposited in this Court for the period till the workman passed away.

4. Objection by the Delhi Jal Board is that the workman never gave an affidavit in this regard and, therefore the legal heirs are not entitled to the said amounts.

5. In the opinion of this Court, this argument does not stand:

- i) *firstly*, on the ground that the amount accrued in favour of the respondent while he was still alive and, therefore, forms part of his estate, to which his legal heirs are entitled to;
- ii) *secondly*, as regards the affidavit, applicant's counsel undertakes that the wife shall provide an affidavit in terms of Section 17B of the ID Act, and will also provide an undertaking/indemnity stating that if any of her statements are found incorrect, or if there are any adverse orders by this Court, the said amount shall be refunded;
- iii) *thirdly*, taking a humanitarian view in the matter, considering that the petition is pending since 2010 and the order was passed for reinstatement in 2007, with effect from 2001.

6. It has been stated in the application that other legal heirs, namely, the sons *Mohd. Khalid* and *Nasir Ahmad*, and the daughter *Saba Mehmood*, have already given their No Objection to the amounts being transmitted in the name of *Shameem Bano*, the wife of the deceased/respondent no.1. These account details are given in paragraph 4 of the said application, which are extracted as under:

Name:- Mehmood Ahmad & Mrs. Shameem Bano
Indian Bank, Branch, Jamia Millia Islamia, New Delhi-110025
account no. 6194512515,
IFSC Code: -IDIB000J029

7. Application is, therefore, allowed. Registry is directed accordingly to



release the amount deposited with accrued interest.

W.P.(C) 2962/2010

1. The said petition is already listed in the category of “*Regular Matters*”.
2. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 1, 2025/MK/tk