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

+ **W.P.(C) 14086/2025**

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Dr. Divya Swamy (SC) along with
Mr. Yagyawalkya Singh, Mr. Rishav
Ranjan, Mr. Anubhav Agrawal, Ms.
Ananya Y, Advs.

versus

ASHOK KUMARRespondent

Through: Ms. Meghna De, Ms. L. Gangmei,
Mr. Siddharth Sapra, Mr. Ishan Goel,
Advs.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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13.01.2026

CM APPL.2070/2026

1. This is an application seeking stay on the operation of the recovery certificate/ proceedings dated 28.11.2025, issued by the Government of NCT of Delhi in favour of the respondent pursuant to the impugned award 17.01.2025.

2. During the course of hearing, it transpires that in the context of similarly situated persons forming part of the same reference, the following order has been passed by this Court:-

"1. By way of present petition, the petitioner seeks to assail the impugned award dated 04.09.2024 passed by the Presiding Officer, Industrial Tribunal, Rouse Avenue Court, New Delhi in POIT No. 372/2019.

2. Learned counsel for the petitioner refers to the order dated 07.02.2025 passed in W.P.(C) 1499/2025 with connected matters and, order dated 24.03.2025 passed in W.P.(C) 3581/2025 with connected matters to submit that notices in the said petitions relating to similarly placed heavy vehicle drivers have already been issued. Copies of the same have been handed over in Court today.



3. Learned counsel for the respondent, who appears on advance notice, refers to the order dated 06.12.2024 passed in W.P.(C) 12045/2024 to submit that the Co-ordinate Bench has directed stay of the operation of the impugned awards as regards the date of regularisation subject to the petitioner releasing the monetary benefits to the respondent within a period of six weeks. The aforesaid order came to be assailed before the Division Bench vide LPA No. 11/2025 wherein the order passed by the learned Single Judge was upheld.

4. Considering the aforesaid the operation of the impugned award with respect to the date of regularization is stayed till the next date of hearing, subject to the petitioner releasing the monetary benefits to the respondent within a period of four weeks from today, provided that the respondent files an affidavit of undertaking to refund the entire amount to MCD depending upon outcome of the present petition.

5. List on 25.08.2025.”

3. Considering the aforesaid circumstances, the recovery certificate/proceedings dated 28.11.2025 are stayed subject to the petitioner releasing the monetary benefits to the respondent within a period of eight weeks from today. The same shall be subject to the respondent filing an undertaking on affidavit that in the event of writ petition succeeding, the amount shall be restituted/ refunded to the petitioner.

4. List on 10.02.2026.

SACHIN DATTA, J

JANUARY 13, 2026/uk