



2026:DHC:36



2026:DHC:3680

\$~114

* IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 29.04.2026+ W.P.(C) 15006/2025 and CM APPL.27576/2026

THE UNION OF INDIA

.....Petitioner

Through: Mr. Bhagwan Swarup Shukla,
(CGSC) along with Mr. Sarvan
Kumar (SPC) for UOI.

versus

SH SHIV KUMAR & ANR.

.....Respondents

Through: Mr. Amar Jain, Mr. Amritesh Mishra,
Advs. for R-1.
Mr. Nusrat Hossain, Mr. Sanjeev
Kumar, Advs. for R-2.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition assails an award dated 24.05.2024 passed by the Authority under the Minimum Wages Act, 1948 & Regional Labour Commissioner (Central), New Delhi, in Claim Application No.MWA-360/2021.
2. The said award/order has been passed in the context of a contract awarded by the petitioner to the respondent no.2 (M/s Professional Management Services) for providing outsourced manpower, including casual labourers, canteen attendants and a supervisor, for the period commencing 01.12.2018. The said contractual arrangement came to an end on 31.03.2021.



2026:DHC:36



2026:DHC:3680

3. The respondent no. 1 was engaged by the contractor. The respondent no.1 alleges non-payment/short payment of minimum wages. Based on his complaint, proceedings were initiated before the Labour Authority. The said proceedings culminated into the impugned award/order dated 24.05.2024, which, *inter alia*, reads as under:

Accordingly, I proceed to pass the following order:

1. The claim application is allowed.
2. The Opponent – 2 is liable to pay Rs. 1,83,028/- (Rupees one lakh eighty three thousand twenty eight only) along with compensation equal to half time of the short payment amounting to Rs. 91,514/- (Rupees ninety one thousand five hundred four only).
3. The above amount totaling to Rs. 2,74,542/- (Rupees two lakh seventy four thousand five hundred forty two only) be deposited with this Authority by way of Demand Draft drawn in favour of Sh. Shiv Kumar, within 15 days from the date of this order.

No orders as to costs.

4. Learned counsel for the petitioner submits that due to non-cooperation of the respondent no.2, it could not effectively present its case before the Authority. It is further submitted that the primary liability to pay the amount to the concerned worker is that of the respondent no.2.

5. It is noticed that the concerned Authority, after considering all aspects of the matter, passed an award on 24.05.2024, directing the petitioner herein to pay ₹1,83,028/- towards short wages along with ₹91,514/- as compensation (total ₹2,74,542/-) for the period of October, 2018 to March, 2021.

6. Considering that the impugned order contains cogent reasons for finding the entitlement of the respondent no.1, this Court is not inclined to interfere with the said findings.

7. Necessarily, the concerned worker has to be paid minimum wages as mandated under law.

8. This Court finds no fault with the directions in the impugned award



requiring payment of requisite amount to the respondent no.1.

9. As regards the petitioner's challenge to the award, it is noticed that the impugned order was passed as far back as on 24.05.2024, the present petition clearly suffers from delay and laches.

10. The primary contention of the petitioner is that it is the liability of the respondent no.2 to pay the amount. Needless to say, the payment of the amount referred to in the impugned order by the petitioner to the respondent no.1 shall not preclude the petitioner from initiating appropriate recovery proceedings against the respondent no.2, in accordance with law. Further, the petitioner is also entitled to take such other administrative action, *inter-alia*, blacklisting / debarment against the respondent no.2 as may be warranted and in accordance with law.

11. The petition is disposed of in the above terms. Pending application also stands disposed of.

12. At this stage, Mr. Bhagwan Swarup Shukla, learned Standing Counsel for the petitioner, submits that execution proceedings are listed before the concerned Court tomorrow.

13. At his request, the petitioner is granted liberty to seek some extension of time for making the requisite payment to the respondent no.1.

14. However, it shall be ensured that the necessary payment is made to the respondent no.1 within a reasonable period of time and in any event, not later than six weeks from today, failing which the executing Court shall be entitled to take appropriate coercive steps to recover the said amount.

SACHIN DATTA, J

APRIL 29, 2026/r