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

+ W.P.(C) 6213/2012

SMT. ZUBEDAPetitioner

Through: Mr. Dhashmesh Tripathi, Adv.
versus

COMMISSIONER MCD AND ORSRespondents

Through: None

+ W.P.(C) 6214/2012

CHANDER MOHINIPetitioner

Through: Mr. Dhashmesh Tripathi, Adv.
versus

COMMISSIONER MCD AND ORSRespondents

Through: None

+ W.P.(C) 6215/2012

JAYANTIPetitioner

Through: Mr. Dhashmesh Tripathi, Adv.
versus

COMMISSIONER OF MCD AND ORSRespondents

Through: None

+ W.P.(C) 6216/2012

SMT. ZARINAPetitioner

Through: Mr. Dhashmesh Tripathi, Adv.
versus

COMMISSIONER OF MCD AND ORSRespondents

Through: None

+ W.P.(C) 6217/2012

NAZMAPetitioner



Through: Mr. Dhashmesh Tripathi, Adv.
versus

COMMISSIONER OF MCD AND ORSRespondents

Through: None

+ W.P.(C) 6218/2012

BASANTIPetitioner

Through: Mr. Dhashmesh Tripathi, Adv.
versus

COMMISSIONER OF MCD AND ORSRespondents

Through: None

+ W.P.(C) 6220/2012

MEENA BEGUMPetitioner

Through: Mr. Dhashmesh Tripathi, Adv.
versus

COMMISSIONER MCD AND ORSRespondents

Through: None

+ W.P.(C) 5346/2013

LAD KUMARIPetitioner

Through: Mr. Dhashmesh Tripathi, Adv.

versus

COMMISSISONER EAST DELHI MUNICIPAL CORPORATION
OF DELHI & ORS.Respondents

Through: None

CORAM:

HON'BLE MS. JUSTICE SHAIL JAIN

ORDER

20.01.2026

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1. None appeared on behalf of the respondent.



2. *Vide* order dated 10th October, 2025, learned counsel for the respondent sought time to file additional affidavits. However, the same has not been filed till date..

3. Perusal of the order dated 30th May, 2025 reveals that the writ petition was disposed of in respect of Prayer (A), whereas the remaining prayers, i.e., Prayers (B) to (E), were kept pending, pertaining to the aspect of the Industrial Disputes Act, 1947 (hereinafter, "ID Act"). Paragraphs 33 and 34 of the said order are reproduced as under:

33. Accordingly, the finding of the Labour Court that the petitioners were not workmen under Section 2(s) of the ID Act and not entitled to benefits under ID Act and dispute raised is not an industrial dispute, therefore stands affirmed. However, this would be with regard to prayer (a) of the respective Writ Petitions. For ease of reference, prayer (a) in W.P.(C) 6213/2012 is extracted as under:

"(a) Issue a Writ of "Certiorari" or any other appropriate writ, order or direction setting aside the award dated 5.09.2011 passed by the Ld. Labour Court No. XVI, Karkardooma Courts, Delhi in I.D. No. 183/07."

34. As regards prayers (b) to (e), extracted below, these aspects would still need to be considered, de hors the aspect of ID Act. The said prayers are extracted as under:

*"(b) Set aside the termination of services of the petitioner as illegal and unjustified and
(c) Direct the respondents to reinstate the petitioner in service along with full backwages (@ minimum wages), continuity of service and all consequently benefits
(d) Direct that the petitioner be paid the differential amount between the minimum wages and the scale of aaya with effect from 1999 as claimed in her claim statement.
(e) Grant any other relief which this Hon'ble Court deems fit and proper in the circumstances of the case."*

4. It has already been held by this Court that the petitioners were not



workmen under Section 2(s) of the ID Act, 1947, and that the dispute raised by them is not an industrial dispute, and that the learned Labour Court did not have jurisdiction to pass the order in this case.

5. Once it is held that the dispute between the parties is not an industrial dispute, what relief can be granted to the Petitioners *qua* Prayers (B) to (E) is the relevant issue.

6. Learned counsel for the petitioner seeks time to address submissions on this point, as the arguing counsel is not available today.

7. One last and final opportunity is granted to the parties to address submissions on the point of maintainability of the present writ petition in view of the order dated 30th May, 2025.

8. List on 16th March, 2026.

SHAIL JAIN, J

JANUARY 20, 2026*/pt/rm*