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

+ **W.P.(C) 6218/2012**

BASANTI

..... Petitioner

Through **Mr.R.K.Saini, Adv.**

versus

COMMISSIONER OF MCD AND ORS

..... Respondent

Through **Ms.Biji Rajesh, Adv.**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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24.10.2019

1. The present writ petition filed by an erstwhile Basti Sewika assails the award dated 05.09.2011 passed by the learned Labour Court, XVI, Karkardooma Courts, Delhi in I.D.No.174/2007. Under the impugned award, the Labour Court has rejected the claim of the petitioner by holding that she cannot be treated as a workman under Section 2(s) of the Industrial Disputes Act, 1947 and, therefore, the issue raised by her is not an industrial dispute.

2. Learned counsel for the petitioner submits that the aforesaid finding in the impugned award is in the teeth of the order passed by this Court on 20.09.2005, whereunder a previous writ petition *W.P.(C)No.1786-97/2005* seeking the same relief, to which she was a party, came to be disposed of with liberty to raise an industrial dispute. He further submits that the work performed by the petitioner prior to her termination is still available in the



respondent/Corporation.

3. Learned counsel for the respondent prays for and is granted time to get instructions as to whether the respondent is still engaging fresh Basti Sewikas as claimed by the petitioner.

4. At request, list on 13.01.2020.

REKHA PALLI, J

OCTOBER 24, 2019

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