



\$~71

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

+ **W.P.(C) 16813/2024**

THE GENERAL MANAGER BHARAT SANCHAR NIGAM
LIMITEDPetitioner

Through: Mr. Dinesh, Sr. Advocate with Mr.
Piyush Sharma, Advocate

versus

ROSHAN LALRespondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **05.12.2024**

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 71144/2024 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 71145/2024 (for summoning the entire record)

2. Digitized record of the trial court be requisitioned for the next date of hearing. Accordingly, the application stands allowed.

CM APPL. 71143/2024 (stay)

3. The petitioner has challenged labour court award dated 29.07.2024, directing payment of retrenchment compensation to the respondent. Learned senior counsel for petitioner has taken me through record in support of his contention that despite specific pleadings in the written statement (*pdf page 71*) that the present respondent was never engaged or appointed for any post or any work, no evidence in that regard was adduced or even got summoned



by the present respondent. The learned labour court accepted photocopy of one FIR for offence under Section 379 IPC and few more certificates as the evidence of engagement of the present respondent. But as pointed out by learned senior counsel, those certificates were issued by authorities other than the petitioner.

4. Operation of the impugned award shall remain stayed till next date of hearing before this Court.

5. Subject to petitioner taking steps within one week, notice through all modes be issued to the respondent returnable on 05.05.2025 before Registrar.

GIRISH KATHPALIA, J

DECEMBER 5, 2024/rk

[Click here to check corrigendum, if any](#)