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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 16920/2024**

SH VIKASH KUMAR AND ORSPetitioners

Through: Mr. Rajiv Agarwal, Advocate.

versus

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION AND
ANRRespondents

Through: Mr. Anil Soni, Senior Advocate with
Mr. Devvrat Yadav, Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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06.12.2024

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

CM APPL. 71686/2024 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 16920/2024 & CM APPL. 71685/2024 (for interim relief)

2. The petitioners workmen have sought directions to the respondent management not to change their service conditions during pendency of their regularization disputes before the industrial adjudicator.

3. Learned senior counsel for respondent no.1 appearing on advance intimation accepts notice and submits that since the offices where the petitioners were employed have now virtually closed down, the petitioners may be directed to join the Delhi office. In response, learned counsel for petitioners expresses that such exercise is not possible for workmen to shift themselves from far away places like Bhopal to Delhi. Further, learned counsel for petitioners has drawn to my notice the orders already passed by the Conciliation Officer whereby respondent no.1 has been advised not to change service conditions of the petitioners.

4. In this regard, petitioners have also placed on record as Annexure P-



12 a copy of order dated 26.11.2024 passed by this court in W.P.(C) 16331/2024.

5. Learned senior counsel for respondent no.1 submits that the petitioners being contractual employees of the respondent no.1 cannot refuse to comply with the transfer orders. On the other hand, learned counsel for petitioners submits that if that be so, they have no objection to the transfer if they are regularized and paid regular salary in the regular pay scale.

6. At this stage, learned senior counsel for respondent no.1 in all fairness submits that the present petition also can be disposed of on same lines as in W.P.(C) 16331/2024.

7. Accordingly, on instructions of his briefing counsel, learned senior counsel undertakes that the respondents shall not terminate services of any of the petitioners and shall not change conditions of service of any of the petitioners during pendency of the regularization dispute before the industrial adjudicator. This statement of respondents is taken on record and the petition is disposed of directing the respondents not to change working conditions of any of the petitioners and not to terminate their services during pendency of the regularization disputes.

8. At the same time, learned Industrial Tribunal is requested to decide the regularization dispute as expeditiously as possible but within period of six months from the date of receiving the Reference.

9. The pending applications also stands disposed of.

GIRISH KATHPALIA, J

DECEMBER 6, 2024/ry

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