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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6918/2018 and CM APPL. 26221/2018
SH. VIRENDER KUMAR KAUSHIKPetitioner
Through: Mr. Vinay Sabharwal and Mr. Karunesh
Shah, Advocates

versus

DELHI STATE INDUSTRIAL DEVELOPMENT CORPORATION
LTD. AND ANR.Respondents
Through: appearance not given

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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13.07.2026

1. Mr. *Sabharwal*, learned counsel for the petitioner, submits that although the Tribunal held that the respondent-management failed to comply with the mandatory provisions of Section 33(2)(b) of the Industrial Disputes Act, 1947, it misdirected itself by considering the present matter to be a case of simpliciter termination and thereafter, granted compensation in lieu of the reinstatement.
2. He further submits that the Tribunal ought to have considered that the petitioner was deemed to have continued in service, and therefore entitled to all consequential reliefs, including full back wages for the entire intervening period. In support, he has relied on the decision of the Supreme Court in “*Jaipur Zila Shahkari Bhandar Vikas Bank Ltd. V/s Ram Gopal Sharma & Ors.*” (2002 (1) LLJ 834), “*T.N. State Transport Corporation V/s Neethivilangan Kumbakonam*” [(2001) 9 SCC 99], “*United Bank of India V/s Sidhartha Chakraborty*” [(2007) 7 SCC 670] and “*Ved Prakash V/s*



Delhi Transport Corporation” in W.P.(C) No. 6200/2002 passed by Delhi High Court.

3. Learned counsel for the respondents seeks some time to go through the records and address the submissions.
4. List on 05.08.2026.

MANOJ KUMAR OHRI, J

JULY 13, 2026
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