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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CONT.CAS(C) 7/2014, CM APPL. 22387/2023 (Dir.) & CM  
APPL. 4509/2024 (Dir.)

BINU BALA

.....Petitioner

Through: Ms. Isha Khanna and Ms.  
Ruchika Malik, Advocates.

versus

N R BISHNOI & ORS

.....Respondents

Through: Mr. Balendu Shekhar, CGSC  
along with Mr. Rajkumar  
Maurya, Mr. Krishna Chaitanya  
and Mr. Divyansh Singh Dev,  
Advocates for R-1 & R-2.  
Mr. Jasbir Bidhuri, Advocate  
for R-3 & R-4.

**CORAM:**  
**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN**  
**SHANKAR**

**ORDER**  
**08.07.2026**

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1. Learned counsel appearing on behalf of the Petitioner repeatedly seeks to contend that employees of Respondent Nos. 3 and 4 - Mahanagar Telephone Nigam Limited ["**MTNL**"] are similarly situated to the Petitioner herein. This Court is *prima facie* of the view that the said contention may not be sustainable.
2. The Court also notes that the Petitioner herein had opted to join the Department of Telecommunication ["**DoT**"] as early as in the year 2013 and not MTNL.
3. Learned counsel appearing on behalf of the Respondent Nos. 3 and 4 - MTNL states that he would be filing an affidavit setting out



therein the status of the Petitioner from 09.10.1990 to 01.12.1992. The said affidavit is necessitated since it was orally submitted that no back-wages are liable to be paid in respect of the stated period since the Petitioner was, at that point in time, under suspension; however, as is apparent from the Affidavit dated 19.11.2019, the Petitioner was, in fact, on extraordinary leave. The Respondent Nos. 3 and 4 seek to file an Affidavit clarifying the status of the Petitioner and also to bring on record the relevant rules, setting out therein, the entitlement of the Petitioner in that duration.

4. Furthermore, learned counsel appearing on behalf of Respondent Nos. 1 and 2 would candidly submit that since the directions of this Court reinstating the Petitioner were passed on 06.09.2012 and the order reinstating the Petitioner came to be passed only in the month of August 2013, there appears to be some delay in complying with the directions passed by this Court. He seeks some time to solicit instructions in this regard.

5. This Court *prima facie*, is of the view that since directions came to be passed in the month of September 2012, the same should have been given effect forthwith and any benefits that were to accrue to the Petitioner were to be calculated from the date of the Order itself.

6. Nonetheless, since learned counsel appearing on behalf of Respondent Nos. 1 and 2 has sought some time to solicit instructions, this Court deems it appropriate to grant him time to solicit necessary instructions in this regard.

7. Accordingly, list on 04.08.2026.

**HARISH VAIDYANATHAN SHANKAR, J.**  
**JULY 08, 2026/tk/va**