Most Urgent/Out at once

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQ): DELHI

No. 16499-705 Genl./HCS/2021

Dated, Delhi the 02 AUG 2021

copy of Order dated 16/07/2021 passed by Hon'ble Ms. Justice Prathiba M. Singh in Writ Petition (Civil) No. 2540/2021 titled as "Director General (Works), CPWD Vs. Sh. Laljeet Yadav & Ors. for compliance.

1. The Ld. Principal District & Sessions Judge, Spl. Judge (PC Act) (CBI), Rouse Avenue Court Complex, New Delhi.
2. The Ld. Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
3. The Chairman, Website Committee, Tis Hazari Courts, Delhi with the request to direct the concerned official to upload the same on the Website of Delhi District Courts.
4. The Director (Academics), Delhi Judicial Academy, Dwarka, New Delhi for information as requested vide letter no.DJA/Dir.(Acd)/2019/4306 dated 06.08.2019.
5. PS to Ld. Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi (for information).
6. Dealing Assistant, R&I Branch for uploading the same on LAYERS.
7. For uploading the same on Centralized Website through LAYERS.

OR

Any other order(s)/direction(s) which your good self deem fit may kindly be passed.

Digitally signed by RAKESH PANDIT
Date: 2021.08.02 11:35:18 +0530

(RAKESH PANDIT)
Officer-in Charge, Genl. Branch, (C)
Addl. District & Sessions Judge,
Tis Hazari Courts, Delhi.

Encl.: As above.

IN THE HIGH COURT OF DELHI AT NEW DELHI

Copy of order

No. 4500/W /DHC/Writs/D-6/2021
Dated 26/07/21
NDOH 29.10.2021 (Before Court)
NDOH 20.09.2021 (Before Registrar)



From

The Registrar General
Delhi High Court
New Delhi.

To

1. The Principal District & Sessions Judge (HQ), Tis Hazari Courts, Delhi.
   (Email ID : djhq.ddc@gov.in)
2. The Principal District Judge, Rouse Avenue Courts, New Delhi
   (Email ID : rouseavenuedistrictcourt@gmail.com)
3. The Labour Commissioner, Govt. of NCT of Delhi, 5, Sham Nath Marg, Delhi. (Email ID : labjlc3.delhi@nic.in)
   (Ref. : I.D. No. 43/2010 dated 18.07.2018)

WRIT PETITION (CIVIL) NO. 2540/2021

Director General (Works), CPWD .....Petitioner/s

Vs

Sh. Laljeet Yadav & ors. .....Respondent/s

Sir,

I am directed to forward herewith a copy of order dated **16.07.2021** passed by Hon'ble **Ms. Justice Prathiba M. Singh** of this Court in the above noted case along with a copy of memo of parties for information and immediate compliance/necessary action **with the request to circulate the directions as contained in the aforesaid order to all the concerned Labour Courts, Authorities and Tribunals under your jurisdiction.**

Please acknowledge receipt.

Yours faithfully

Admn. Officer Judl. (Writs)
For Registrar General

23.7.21

Encl. : As above

IN THE HON'BLE HIGH COURT OF DELHI AT NEW DELHI

W.P. (CIVIL) NO. 2540-2021 OF 2019

IN THE MATTER OF:

DIRECTOR GENERAL OF WORKS (CPWD) ....PETITIONER

VERSUS

LALJEET YADAV & ORS. ....RESPONDENTS

MEMO OF PARTIES

DIRECTOR GENERAL (WORKS)
CPWD, NIRMAN BHAWAN
NEW DELHI-110011.
THROUGH AR J.S. BHATIA
EXECUTIVE ENGINEER (E) ...PETITIONER

VERSUS

1. SH. LALJEET YADAV
   S/O SH. MUNSHI YADAV
   R/O H.NO. B-75, GALI NO. 2,
   RAJEEV NAGAR, SRI RAM COLONY,
   KHAJURI, DELHI-110094.
   MOB. NO. 9968422398

2. SH: SATISH KUMAR (DECEASED)
   S/O SH. SUMER SINGH
   R/O H. NO. 5, GALI NO. 18-K,
   SHAD NAGAR, PALAM COLONY,
   NEW DELHI-110045.
   MOB. NO. 9868727403, 9958558346

3. SH. AJAY KUMAR
   S/O SH. BIKA DAS
   R/O K-819, NEAR SUNDER BHAWAN,
   VILLAGE & P.O. MAHIPAL PUR,
   NEW DELHI-110037.
   MOB. NO. 8448643863

(10)

ALL REPRESENTED BY CPWD MAZDOOR UNION,
ROOM NO. 95, BARRACKS NO. 1/10,
JAM NAGAR HOUSE, SHAHJAHAN ROAD,
NEW DELHI.
E-MAIL:- prasadbk737@gmail.com

4. THE ASSISTANT LABOUR COMMISSIONER
(CENTRAL), CURZON ROAD, NEW DELHI.
E-MAIL:- dyclcndl_mole@gov.in

...RESPONDENTS

MOBILE NO. - 23348347

PETITIONER

कार्यपालक अभियंता
दिल्ली वैद्युत मंडल-41, ए
एन्ड्रयूज गंज, नई दि

THROUGH

SHAMIM A. KHAN
ADDL. GOVT. COUNSEL
70, P.S. RATHEE BLOCK,
TIS HAZARI COURTS,
DELHI-110054
MOB. NO. 9811468816

Delhi
Dated:11.03.2020

TRUE COPY

S~6

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

+ ***Date of decision: 16th July, 2021***

W.P.(C) 2540/2021

DIRECTOR GENERAL OF WORKS (CPWD) ..... Petitioner
Through: Mr. Shamim Anwar Khan, Advocate.
versus

LALJEET YADAV AND ORS ..... Respondents
Through: None.

CORAM:
JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through video conferencing.

2. As per the Registry's report, Respondent Nos. 1, 2 and 3 have already been served in this matter. Though fresh service was ordered vide order dated 15th April, 2021, the process fee is yet to be filed.

3. It is noticed that all the Respondents have been served. One last and final opportunity is given to Respondent Nos. 1-3 to enter appearance. If they do not enter appearance, the matter would proceed further on the next date of hearing.

4. List before the Registrar on 20th September, 2021 for verifying service of intimation to Respondent Nos.1, 2 and 3 on their mobile numbers/email addresses as shown in the memo of parties.

5. List before Court on 29th October, 2021.

6. This Court has noticed that in several matters which involve Workmen and Management in which awards of the Labour Court are challenged before this Court, service of the Workmen/Management consumes a substantial amount of time as the awards do not contain the contact details of the Workmen or the Management.

7. During the Covid-19 pandemic, when service is being done through electronic mode, the effecting of service has proved to be a challenge and matters continue to remain pending for several months without service being effected. Further, whenever this Court has passed orders directing deposit of amounts with the ld. Registrar General of this Court and in cases where service has not been effected, the Workmen are unable to even move applications for release of litigation expenses or any part of the awarded amount.

8. It is, therefore, imperative that the Workmen and the Management are served at the earliest possible occasion and, in fact, advance copies are served upon them even before the matter is listed. This would also enable Courts to explore if any settlements are possible between the Management and the Workmen on the first date of hearing.

9. Accordingly, the following directions are issued to the Labour Courts, Authorities and Tribunals which are dealing with disputes between Workmen and Management, including disputes relating to termination, suspension etc., under the Industrial Disputes Act, 1947, the Employees' Provident Fund & Miscellaneous Provisions Act, 1952, the Payment of Gratuity Act, 1972 etc.:-

(i) Labour Courts, Authorities and Tribunals shall in the final awards/orders passed by them, include the complete details of the authorized representative of the Management in the cause title/memo of parties, including the mobile number and email address of the Management.

(ii) Additionally, most Workmen are represented through Unions in the Labour Courts, Authorities and Tribunals. However, the beneficiaries in respect of the awards and orders are the individual Workmen, whose details are not available except their names. Accordingly, it is directed that when awards and orders are passed by the Labour Courts,

Authorities and Tribunals, the following details be added in the cause title which forms part of the orders/awards and/or judgements:

i. permanent address of the Workmen along with any other address available on record;

ii. mobile number of the workmen or authorised signatory;

iii. details of one of their immediate family members, for example, the spouse or child of the Workmen, if deemed appropriate,

iv. Aadhaar number/any other valid government identity card number of the Workmen.

10. This would enable advance copies to be served upon the Management and the Workmen so that they can be represented on the first date when the Court hears the matters. This would also enable expeditious delivery of notices upon the Management and Workmen, once the petition is entertained by the Court.

11. Let this order be circulated by the worthy Registrar General, to all Labour Courts, Authorities and Tribunals, in order to ensure the implementation of the same w.e.f., 1st August, 2021. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as the certified copy of the order for the purpose of ensuring compliance. No physical copy of orders shall be insisted by any authority/entity or litigant.

PRATHIBA M. SINGH
JUDGE

JULY 16, 2021
MR/AD/T

TRUE COPY

THE SEAL OF DELHI HIGH COURT