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

% ***Date of Decision: 17.04.2026***

+ W.P.(C) 5152/2026, CM APPLs. 25237/2026, 25240/2026

(78) MUNICIPAL CORPORATION OF DELHI & ANR.Petitioners
Through: Mr. Sumeet Pushkarna (Sr. Adv)
along with Dr. Divya Swamy (SC)
and Mr. Yagyawalkya Singh, Ms.
Akriti Singh, Ms. Ananya Y., Mr.
Rishav Ranjan, Mr. Shikhar Rusia,
Advs.

versus

JAGVIRRespondent

Through:

+ W.P.(C) 5186/2026, CM APPLs. 25373/2026, 25374/2026

(86) MUNICIPAL CORPORATION OF DELHI & ANR.Petitioners
Through: Mr. Sumeet Pushkarna (Sr. Adv)
along with Dr. Divya Swamy (SC)
and Mr. Yagyawalkya Singh, Ms.
Akriti Singh, Ms. Ananya Y., Mr.
Rishav Ranjan, Mr. Shikhar Rusia,
Advs.

versus

RAJURespondent

Through:

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

CM APPL. 25238/2026 (Exemption) in W.P.(C) 5152/2026

CM APPL. 25239/2026 (Exemption) in W.P.(C) 5152/2026

CM APPL. 25375/2026 (Exemption) in W.P.(C) 5186/2026

1. Allowed, subject to all just exceptions.



2. The applications stand disposed of.

W.P.(C) 5152/2026

W.P.(C) 5186/2026

3. The present petitions have been filed in the context of applications under Section 33C(2) of the Industrial Disputes Act, 1947.

4. It is submitted by learned senior counsel for the petitioners that during the course of the said proceedings, the Municipal Corporation of Delhi (MCD) required additional time to file the necessary calculation sheets due to procedural formalities across multiple departments.

5. However, the Labour Court imposed a total cost of Rs. 7,000/-, upon the MCD in both the matters.

6. In W.P.(C) 5152/2026 a calculation chart pertaining to the dues of the workman, along with a supporting affidavit of the Assistant Commissioner, Keshav Puram Zone, MCD, and copies of relevant pages of service book of the workman, were filed before the Labour Court, as recorded in the order dated 07.04.2026 passed by the learned POLC-III in LCA No. 1443/2025. However, the Deputy Commissioner, Keshav Puram Zone, MCD failed to pay the cost of Rs. 7,000/- to the workman as directed by the Labour Court. Consequently, the Labour Court ordered recovery of the said amount as a fine and issued warrants for attachment of the salary of the Deputy Commissioner to the extent of Rs. 7,000/-, to be executed through the DCP (Central), who was further directed to submit a report on the warrants of attachment of salary of Dy. Commissioner, Keshav Puram Zone, MCD, under his signatures.

7. The relevant portion of the order is reproduced as under –



“A calculation chart in respect of dues of Workman alongwith supporting affidavit of Assistant Commissioner, Keshav Puram Zone, MCD and copy of relevant pages of service book of Workman has been filed on behalf of Managements today in Court.

Copy supplied to Workman.

Dy. Commissioner, Keshav Puram Zone, MCD has however failed to pay the cost of Rs. 7,000/- to the Workman in terms of order dated 14.03.2026 and the order passed earlier during the day.

Accordingly, Court has decided to recover the same as fine. Issue warrants of attachment of salary of Dy. Commissioner, Keshav Puram Zone, MCD to the extent of Rs. 7,000/- to be executed through DCP (Central), who shall forward the report on the warrants of attachment of salary of Dy. Commissioner, Keshav Puram Zone, MCD under his signatures.

In fact, vide order dated 14.03.2026, Commissioner MCD was required to ensure deposit of the aforesaid cost on the part of Dy. Commissioner, Keshav Puram Zone, MCD and to ensure deduction thereof from the salary of Officer found responsible for imposition thereof after holding an appropriate inquiry in this regard. However, no status report in terms of the aforesaid order has been received even from the Commissioner MCD. Let an explanation in this regard be accordingly called from the Commissioner MCD within three days from today failing which it shall be presumed that he has no explanation to offer for non compliance of directions of this Court and appropriate order as per law shall be passed against him without giving him any further opportunity.”

8. In W.P.(C) 5186/2026, the MCD has duly paid the cost imposed by the Labour Court in full compliance. However, the Labour Court proceeded to issue Non-Bailable Warrants (NBWs) against the Deputy Commissioner, Keshav Puram Zone, and further directed the Commissioner, MCD to furnish an explanation within three days for the non-submission of the calculation chart of dues of the workman, along with the supporting affidavit and certified copies of relevant pages of service book of workman, despite repeated directions.

9. The relevant portion of the order is reproduced asunder –



“Be that as it may, the aforesaid cost of Rs. 7,000/- is paid by Assistant Commissioner, Keshav Puram Zone, MCD to the Workman today in Court.

So far as the calculation chart of dues of Workman alongwith supporting affidavit and certified copy of relevant pages of service book of Workman is concerned, the same has not been produced by the Dy. Commissioner, Keshav Puram Zone, MCD despite repeated directions U/s 11(3)(b) of Industrial Disputes Act, 1947 and despite a specific warning issued to him vide order dated 24.02.2026 that non filing of the same by 13.03.2026, shall invite issuance of coercive process against him including but not limited to issuance of warrants in exercise of powers U/o 16 R 10 and 12 CPC r/w Section 11(3)(b) of Industrial Disputes Act, 1947.

Even after the aforesaid warning, one more last and final opportunity was given to him vide order dated 13.03.2026 to file the aforesaid documents within a period of two weeks, however, even today despite pass over, the same have not been filed by him. Even the Commissioner MCD has failed to ensure compliance of the aforesaid directions by the Dy. Commissioner, despite the fact that copy of orders dated 24.02.2026 and 13.03.2026 were duly served upon the Commissioner MCD, who is also impleaded as respondent no. 1 in the present application.

An explanation in writing be accordingly called from the Commissioner MCD for the aforesaid lapse on his part within a period of three days from today, failing which, it shall be presumed that he has no explanation to offer and the Court shall be constrained to report the matter to Home Secretary, Department of Home, Ministry of Home Affairs, Govt. of India.

In the meantime, in exercise of powers U/o 16 R 10 and 12 CPC r/w Section 11(3)(b) of Industrial Disputes Act, 1947 non bailable warrants of arrest of Dy. Commissioner, Keshav Puram Zone, MCD be issued to be executed through DCP (Central) who shall forward the report on the warrants against Dy. Commissioner, Keshav Puram Zone under his signatures.”

10. At the outset, learned senior counsel for the petitioners expresses regret at the miscommunication and the lapses on the part of the MCD in the concerned proceedings which impelled the Court to make the aforesaid observations. He assures that requisite steps have been taken to allay the



concerns of the Court that led to the aforesaid observations. However, it is submitted that the observations and directions in the aforementioned orders are gravely prejudicial to the petitioners and the Commissioner, MCD.

11. Considering the circumstances, the issuance of Non-Bailable Warrants (NBWs), the calling for explanations from the Commissioner, MCD and the directions regarding other coercive steps in the impugned orders are set aside, subject to the undertaking on behalf of the MCD that the orders passed by the concerned Labour Court, as well as any future directions that may be issued regarding the supply of information, etc., shall be scrupulously adhered to. This is further subject to payment of all costs imposed by the Labour Court, if not already paid.

12. The MCD is expected to proceed diligently in all ongoing proceedings under Section 33(C)2 of the Industrial Disputes Act, 1947 and to act with promptitude in complying with the directions of the Labour Court regarding the supply of information/ furnishing of calculation sheets, etc.

13. Learned senior counsel for the petitioners points out that an SOP has been issued by the MCD to set up a system ensuring that there is no laxity on its part in making the necessary compliance. It is for the MCD to work out its own internal procedure to ensure that no inconvenience is caused to the concerned Labour Court in such proceedings.

14. With the aforesaid observations/ directions, the present petitions are disposed of. Pending applications also stand disposed of.

SACHIN DATTA, J

APRIL 17, 2026/uk