



2025:DHC:5794



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

% ***Date of Decision: 16.07.2025***

+ W.P.(C) 2467/2020

NORTH DELHI MUNICIPAL CORPORATIONPetitioner

Through: Mr. Anand Prakash, Standing Counsel with Ms. Varsha Arya, Advocate with Sh. Vijay, ADH (Hort) Rohini Zone, MCD and Sh. Ramesh Kumar, JSA (Hort), Rohini Zone, MCD.

versus

SH. RAJ PAL AND ORS.Respondents

Through: Mr. Jawahar Raja, Ms. Meghna De and Mr. Ritwik Raj, Advocates.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

TARA VITASTA GANJU, J.: (Oral)

CM APPL. 10553/2025 [Vacation of stay]

1. This is an Application seeking vacation of interim stay for non-compliance with the directions passed by the Division Bench in LPA 697/2022 captioned ***Raj Pal and Ors v. Municipal Corporation of Delhi*** [hereinafter referred to as “Order of the Division Bench”] of this Court on 22.08.2024.

2. Learned Counsel for the Applicant/Respondent submits that the Division Bench had by the order dated 22.08.2024 directed that the



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Respondent/Management to release the subsistence allowance at the rate of last pay drawn or minimum wages as revised from time-to-time and had passed directions in Application under Section 17-B passed by the Respondent/Workmen.

3. Learned Counsel for the Respondents submit that despite the lapse of almost one year, the entire amount has not been paid. He submits that he will be placing on record within three days, a calculation of all amounts that are outstanding as on date in terms of the order passed by the Division Bench.

4. Learned Counsel for the Petitioner submits that the order passed by the Division Bench was challenged before the Supreme Court in SLP 18447/2025 captioned *Municipal Corporation of Delhi v. Raj Pal & Ors.* and by an order dated 16.05.2025, the challenge was dismissed.

5. Learned Counsel for the Petitioner however fairly concedes that there was no stay granted by the Supreme Court to the order of the Division Bench during the pendency of the Appeal.

6. Learned Counsel for the Petitioner, on instructions, submits that the order of the Division Bench shall be complied with within four weeks from today.

7. The Application is accordingly disposed of with the following directions:

(i) Learned Counsel for the Respondents shall provide to the learned Counsel for the Petitioner the updated calculation of the amounts due to the



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Respondent from the Petitioner in terms of the order of the Division Bench *via* e-mail under acknowledgment.

(ii) The Petitioner shall make payment of the amounts within four weeks from the date of the receipt of the e-mail.

(iii) In the event, there is any default in depositing the amount within the period prescribed, the interim protection granted by this Court on 20.09.2021 shall automatically stand vacated.

CM APPL. 1412/2021 [Delay in filing the Petition]

8. This is an Application seeking condonation of delay of 211 days in filing the present Petition.

9. Learned Counsel for the Respondents submit that he has no objection if the prayer made in the present Application *qua* condonation of delay is allowed.

10. Accordingly, the delay is condoned.

11. The Application stands disposed of.

W.P.(C) 2467/2020, CM APPL. 8616/2020 [Stay] & 32085/2021 [Stay of notice]

12. Learned Counsel for the Petitioner has handed over the costs to the learned Counsel for the Respondents in the Court today, who acknowledges the receipt of the same.

13. The Registry is directed to book-mark the digital copy of the Trial Court Record received in accordance with the rules of the High Court.



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14. List for hearing on 14.10.2025.
15. The parties shall act based on a digitally signed copy of the order.

TARA VITASTA GANJU, J

JULY 16, 2025/pa