



2025:DHC:5789



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

% ***Date of Decision: 17.07.2025***

+ W.P.(C) 17025/2022

HARIHAR PRASADPetitioner

Through: None.

versus

DOCBEL INDUSTRIESRespondent

Through: Mr. Harvinder Singh, Advocate.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

TARA VITASTA GANJU, J.: (Oral)

1. None appears on behalf of the Petitioner.
2. Learned Counsel for the Respondent submits that he had previously also stated that the Petitioner is not interested in pursuing the matter since the matter has been settled by the Petitioner with the Respondent.
3. The record reflects that the Petition was filed in the year 2022 assailing the Award dated 18.05.2022 passed by the learned Labour Court. The Counter Affidavit was filed, however no Rejoinder is filed.
4. Learned Counsel for the Respondent seeks to rely upon Paragraphs 5 and 6 of his Counter Affidavit in this behalf to submit that the Petitioner had approached the management that they wish to withdraw the present Petitions as he had filed the present Petition without comprehending the Award of the learned Labour Court. Reliance is placed on Paragraphs 5 and 6 of the Counter Affidavit which are extracted below in this behalf:

"5. That thereafter the petitioner approached the deponent stating that due



to the pressure of some other person, he had agreed to file the present writ petition against the respondent and wishes to withdraw the same. He wrote a letter in his handwriting, to the deponent, stating that he wishes to withdraw the present petition, which he had filed, without comprehending the award of the Labour Court. The deponent, with the intent to avoid time consuming and costly litigation, entered into an Agreement with the petitioner on 21.05.2024, before Notary, whereby an ex gratia sum of Rs.10,000/- was paid to the petitioner and the petitioner undertook that he would not claim any further dues under any circumstances, in any Court of law.

6. That the petitioner agreed to withdraw the present writ petition and signed a receipt for acknowledging receipt of the ex gratia amount. Copies of the letter dated 21.05.24 with translation, Agreement dated 21.05.24 and receipt dated 21.05.24 are annexed herewith as Annexure R1 (Colly).”

[Emphasis supplied]

5. Learned Counsel for the Respondent further submits that an *ex gratia* sum of Rs.10,000/- has already been paid to the Petitioner by the Respondent and a hand written receipt of the Petitioner where he wrote that he would like to withdraw the case, is annexed along with the Counter Affidavit.
6. In any event, in view of what is stated in the Counter Affidavit, it seems that the Petitioner is not interested in pursuing the matter any further.
7. Accordingly, the Petition is dismissed for non-prosecution.
8. The parties shall act based on a digitally signed copy of the order.

TARA VITASTA GANJU, J

JULY 17, 2025/pa