



\$~84

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

% ***Date of Decision: 22<sup>nd</sup> April, 2025***

+ **CM(M) 719/2025 & CM APPL. 23284/2025**

**KUNDAN KUMAR**

.....Petitioner

Through: **Mr. Bharat Malhotra, DHCLSC.**

versus

**RESOURCE DATA MANAGEMENT PVT LTD & ORS.**

.....Respondent

Through: **Ms. Praveena Gautam with Mr. Pawan Shukla and Ms. Tissy A Thomas, Advocates.**

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. The prayer in the present petition is very limited.
2. Deputy Labour Commissioner, GNCTD, while exercising power under Section 10(1)(c) and Section 12(5) of Industrial Disputes Act, 1947, sent reference to the concerned Labour Court for adjudication.
3. The reference was registered in the year 2015 and an Award was, eventually, passed by the concerned learned Labour Court on 02.11.2019.
4. As per Award, the petitioner has been held entitled to relief of reinstatement with full back wages along with continuity of services and all consequential benefits. He has also been held entitled to a compensation of



Rs. 5,00,000/- towards harassment, illegal termination and legal cost. There is also direction to the Management to pay interest @ 9% per annum, if the Award is not given effect to, within 30 days of its communication.

5. As per the petitioner, the Award has already attained finality as it was never challenged by the Management.

6. According to Mr. Malhotra, learned counsel for petitioner, there is no reinstatement of the petitioner and moreover, as per the rough calculation made by the Nazir of Court, the Management is required to pay a sum of Rs. 1.5 Crores approx to the claimant/decreed-holder.

7. It is submitted that the Execution Petition was filed in the year 2021 and there is no much headway so far and the Management is only interested in delaying the implementation of Award and its execution, on one pretext or the other.

8. Mr. Malhotra, learned counsel for petitioner also submits that during the pendency of the execution petition, the decree holder had even filed an application seeking compensation of Rs. 5,00,000/- but even such application has yet not been decided by this Court.

9. The request in the present petition is, merely, to the effect that the learned Executing Court i.e. Court of learned ADJ-05, South-East District, Saket Court, New Delhi may be requested to dispose of and adjudicate the abovesaid Execution Petition, expeditiously.

10. It is also submitted that in view of the recent judgment given by the Hon'ble Supreme Court in *Periyammal (Dead) through Lrs and Others vs. V*



*Rajamani and Another: 2025 SCC OnLine SC 507*, even otherwise, such execution needs to be fast-tracked and has to be disposed of within six months.

11. The next date before the learned Executing Court is stated to be 06.05.2025.

12. Learned counsel for respondent appears on advance notice and submits that the Management has no intention to delay or prolong the matter and would rather come up with some concrete proposal with respect to the amount actually payable to the decree-holder and such proposal would be placed before the learned Executing Court on 06.05.2025.

13. Keeping in mind the overall facts and the facts that the Award is of the year 2019 and the Execution Petition was filed in the year 2021, the present petition is disposed of with request to the learned Executing Court to make best endeavor to dispose of the abovesaid Execution Petition in terms of directions contained in *Periyammal (Dead) through Lrs and Others* (supra).

14. Petition stands disposed of in aforesaid terms.

15. The pending application also stands disposed of in aforesaid terms.

**(MANOJ JAIN)**  
**JUDGE**

**APRIL 22, 2025/sw/JS**