

**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT DELHI-1,
ROOM NO.207, ROUSE AVENUE COURT COMPLEX,
NEW DELHI**

LCA NO. 2114/2019

Sh. Dharmender S/o Sh. Bal Kishan,
Through Sh. Abhinav Kumar,
C-240, 1st Floor, Jhilmil Colony
Delhi-110095.

...Claimant

Versus

The Commissioner,
Municipal Corporation of Delhi
Dr. S.P. Mukherjee Civic Center
Jawahar Lal Nehru Marg, Minto Road,
Delhi-110002.

...Management

Shri Abhinav Kumar, A/R, for the claimant
Shri. Dharmendra Kumar, A/R for the management

ORDER

An application was moved by Sh. Dharmender S/o Sh. Bal Kishan, the claimant, under Section 33-C(2) of the Industrial Disputes Act, 1947 (in short the Act) with the averments that he joined service with the management as Safai Karamchhari. he was treated as daily wagger employee and was paid wages as fixed and revised from time to time under the Minimum Wages Act. he was thereafter regularized on the said post retrospectively with effect from 2003. Since then, the claimant was serving the management to the entire satisfaction of the seniors. Arrear of Rs. 9,81,585/- were not paid to the claimant.

2. Written Statement was filed on behalf of the management copy of which was supplied to Shri Abhinav Kumar, A/R for the claimant. It is stated by the claimant that he is ready and willing to accept an amount of Rs. 3,40,857/- as mentioned by the management in written statement. Claimant accepted above amount in his affidavit.

3. That management has categorically admitted in the written statement submitted by them that an amount of Rs. 3,40,857/- is due towards the

claimant. In view of the categorical admission made by the management and the affidavit filed by the claimant, the application filed by the claimant under Section 33-C (2) of the Industrial Disputes Act, 1947 for arrear is allowed and it is held that the claimant is entitled to an amount of Rs. 3,40,857/- (Rupees Three Lakh Forty Thousand Eight Hundred Fifty Seven Only) as per the categorical admission made by the management in the written statement submitted by them.

4. Management is directed to pay the amount of Rs. 3,40,857.00 within a period of 30 days. If the computed amount of Rs. 3,40,857.00 is not made within a period of 30 days hereof, the management shall be liable to pay interest @6% applicable at the relevant time on the full amount from the date of this order till realization. An order is, accordingly, passed. File, after completion, be consigned to record room.

Justice Vikas Kunvar Srivastava
Presiding Officer
Retired Judge, High Court of Allahabad
November 11, 2024