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

+ **W.P.(C) 8088/2020**

**BALDEV SINGH & ANR.** ..... Petitioners

Through: Mr. Anuj Aggarwal, Advocate (M:  
9891403206).

versus

**THE DISTRICT COLLECTOR OFFICER & ORS.** ..... Respondents

Through: Mr. Kaustubh Anshuraj, Advocate for  
R-1.

Ms. Biji Rajesh, Advocate for Mr.  
Gaurang Kanth, Advocate for R-2.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **16.10.2020**

1. This hearing has been held through video conferencing.
2. The limited prayer in this petition is that the recovery certificate dated 19<sup>th</sup> January, 2016, issued by the Regional Labour Commissioner, ought to be enforced and the amount therein ought to be released to the Petitioners. The brief background of this case is that an Award was passed by the Id. CGIT-cum-Labour Court, in favour of the Petitioners on 22<sup>nd</sup> February, 2006. The same was published by the Appropriate Government vide notification dated 10<sup>th</sup> March, 2006 and became enforceable on 10<sup>th</sup> April, 2006.
3. The CPWD/Respondent No.3 herein had initially challenged the said Award by way of writ petition being W.P(C) 12733/2006. However, vide order dated 20<sup>th</sup> February, 2007, the writ petition was dismissed and consequently, the Award dated 22<sup>nd</sup> February, 2006 was upheld. Thereafter,

a LPA was also preferred by CPWD being LPA 300/2007, which was also dismissed by an order of the Id. Division Bench dated 20<sup>th</sup> May, 2010. However, the CPWD did not implement the Award and hence the Petitioners were constrained to proceed for recovery of the dues.

4. The payments in terms of the Award have been made by CPWD for the period 23<sup>rd</sup> February, 2006 till 31<sup>st</sup> August, 2010. However, for the period from 31<sup>st</sup> April, 2012 to 31<sup>st</sup> August, 2015, no payment has been made. Accordingly, vide the recovery certificate dated 19<sup>th</sup> January, 2016, the Ministry of Labour has directed the District Collector Officer to take steps for recovery of the amount in respect of Shri. Baldev Singh and Shri Bal Kishan, i.e. the Petitioners herein. Despite the same, no enforcement of the said recovery certificate is taking place and payment has not been received. Hence the present petition.

5. Mr. Anshuraj, Id. counsel appearing for Respondent No.1/the District Collector Officer, submits that steps are being taken for recovery of the amounts to be paid to the Petitioners and the same shall be given effect to within two weeks. He further submits that CPWD's account has already been attached and they would be taking steps in accordance with law.

6. Since the prayer in the present writ petition is only for enforcement of the recovery certificate and implementation of the Award dated 22<sup>nd</sup> February, 2006, which has already been upheld by this Court, it is directed as under:-

- i. The Respondent No. 1 shall take immediate steps to implement the recovery certificate dated 19<sup>th</sup> January, 2016 and recover the amount from CPWD within a period of two weeks.
- ii. Upon the said recovery being made, the payment shall be made

to the Petitioner, within a further period of one week and the entire process shall in any case be concluded within a period of thirty days from today.

7. The writ petition is disposed of, in the above terms. The Petitioners are permitted to approach this Court, if the payments are not made within the timelines stipulated above.

**PRATHIBA M. SINGH, J.**

**OCTOBER 16, 2020**  
**MR/A**