
(2020) 01 DEL CK 0518

In the Delhi High Court

Case No : Civil Writ Petition No. 1174 Of 2020

Delhi Labour Union

APPELLANT

Vs

Union Of India

RESPONDENT

Date of Decision : 31-01-2020

Acts Referred:

Citation : (2020) 01 DEL CK 0518

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ; C. Hari Shankar, J

Bench : Division Bench

Advocate : Rajiv Agarwal, L. Gangnei, Bharathi Raju, Amit Dogra

Final Decision : Disposed Of

Judgement

D.N. Patel, CJ

W.P.(C) 1174/2020

1. This Public Interest Litigation has been preferred with the following prayers :

"(i) Issue an appropriate writ, order or direction thereby directing the Respondent to fill up the vacant posts in the office of Deputy Chief Labour Commissioner (Central), New Delhi on priority;

(ii) issue an appropriate writ, order or direction thereby directing the respondent to assess the current and future workload in the office of Deputy Chief Labour Commissioner (Central), New Delhi and evaluate the current sanctioned strengths and increase the same;

(iii) Pass any such other or further order and/or direction, as this Hon'ble Court may deem fit and appropriate in the facts and circumstances of the case and in the interest of justice."

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, it appears that there are several vacancies at the office of Chief Labour Commissioner (Central), New Delhi. The details of the

vacancies have been mentioned at Annexure P-2 to the memo of this writ petition. Moreover, it appears that a representation dated 10th December, 2019 was also made by this petitioner which is at Annexure P-1 to the memo of this writ petition. It is submitted by learned counsel for the petitioner that due to the aforesaid vacancies, the concerned labour commissioners are unable to discharge their statutory duties properly and effectively, assigned under the Industrial Disputes Act, 1947 as well as under various other labour laws.

3. In view of the aforesaid submissions and looking to the vacancies referred at Annexure P-2 which are in existence since long and also looking to the representation which is at Annexure P-1 preferred by this petitioner, we hereby direct concerned respondent authorities to look into the grievances ventilated by this petitioner about the vacancies pointed out in the office of the Labour Commissioner (Central), New Delhi. It ought to be kept in mind by the respondents that if the vacancies are existing since long, the same ought to have been filled up in accordance with the recruitment rules as expeditiously as possible and practicable so that the statutory duties assigned to the office of the Labour Commissioner may be performed efficiently & effectively. Varieties of duties are assigned under the different Labour Laws especially under the Industrial Disputes Act, Workmen Compensation Act etc. which has a direct nexus with the welfare of the workmen/employees. We expect from the respondents that the vacancies shall be filled up as early as possible and practicable.

4. With these observations, this writ petition is hereby disposed of.

5. However, liberty is reserved with the petitioner to move this court again in case of any difficulty.