

ITEM NO.2

COURT NO.1

SECTION XIV

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 26185-26228/2018 (Arising out of impugned final judgment and order dated 04-08-2018 in WP(C) No. 8125/2016, WP(C) No. 12088/2016, WP(C) No. 2658/2017, WP(C) No. 3360/2017, WP(C) No. 3385/2017, WP(C) No. 3684/2017, WP(C) No. 3792/2017, WP(C) No. 3987/2017, WP(C) No. 4007/2017, WP(C) No. 4080/2017, WP(C) No. 4102/2017, WP(C) No. 4103/2017, WP(C) No. 4106/2017, WP(C) No. 4446/2017, WP(C) No. 4493/2017, WP(C) No. 4867/2017, WP(C) No. 4934/2017, WP(C) No. 4998/2017, WP(C) No. 5013/2017, WP(C) No. 5026/2017, WP(C) No. 5199/2017, WP(C) No. 5200/2017, WP(C) No. 5214/2017, WP(C) No. 5217/2017, WP(C) No. 5218/2017, WP(C) No. 5753/2017, WP(C) No. 5779/2017, WP(C) No. 5933/2017, WP(C) No. 6078/2017, WP(C) No. 6155/2017, WP(C) No. 6794/2017, WP(C) No. 6815/2017, WP(C) No. 6841/2017, WP(C) No. 6990/2017, WP(C) No. 7012/2017, WP(C) No. 7141/2017, WP(C) No. 7760/2017, WP(C) No. 8229/2017, WP(C) No. 8622/2017, WP(C) No. 9099/2017, WP(C) No. 9187/2017, WP(C) No. 9221/2017, WP(C) No. 9446/2017, WP(C) No. 7495/2017 passed by the High Court Of Delhi At New Delhi)

**GOVERNMENT OF NATIONAL  
CAPITAL TERRITORY OF DELHI**

**Petitioner(s)**

**VERSUS**

**FLT LT. RAJAN DHALL  
CHARITABLE TRUST & ORS.ETC. ETC.**

**Respondent(s)**

**(FOR ADMISSION )**

**Date : 31-10-2018 These matters were called on for hearing today.**

**CORAM :**

**HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE K.M. JOSEPH**

**For Parties**

**Mr. Dushyant A. Dave, Sr. Adv.  
Mr. Chirag M. Shroff, AOR  
Ms. Neha Sangwan, Adv.  
Ms. Joyshree Barman, Adv.**

**For Respondent(s)**

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Mr. Rajmangal Kumar, Adv.  
Ms. Roopamdeep Sahni, Adv.  
Mr. Udit Malik, Adv.**

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Ms. Anushka Sharda, Adv.  
Mr. Sanjeev Kumar Kapoor, Adv.  
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Mr. Vidushpat Singhanian, Adv.

Mr. Manu Beri, Adv.  
Mr. Prasenjit Keswani, Adv.  
Mr. Satyajit Sah, Adv.  
Ms. V.D. Khanna, AOR

Mr. Kapil Hans, Adv.  
Mr. Robin Khokhar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Heard learned counsels for the parties and perused the relevant material.

I.A.No.155082/2018- Application for intervention is allowed.

Special leave petitions are kept pending.

During the pendency of the special leave petitions, the minimum wages fixed as per notification dated 03.03.2017 will hold the field. We make it clear that, at this stage, no arrears need be paid but the current wages will be as per the said notification dated 03.03.2017.

Without prejudice to the rights of the respective parties, we direct the petitioner to re-do the exercise of fixing the minimum wages for the scheduled employment afresh following the route prescribed either under Section 5(1)(a) or 5(1)(b) of the Minimum Wages Act, 1948 as the petitioner may opt to adopt.

Shri Dushyant Dave, learned senior counsel for the petitioner, has stated before the Court that the aforesaid exercise will be completed within a period of two months. Nonetheless, the Court is of the view that the petitioner should be given the benefit of another four weeks meaning thereby the exercise be completed at the end of three months from today and the result thereof i.e. notification that may be proposed to be issued be laid before the Court at the end of three months from today.

We also make it clear that the question of arrears under the notification dated 03.03.2017 will be governed by such wages as may be re-fixed pursuant to the fresh exercise ordered to be undertaken.

We also make it clear that no recovery of amount paid shall be made by employer(s).

Needless to say, in the *de novo* exercise ordered to be carried out will be open for all the stakeholders to raise all issues as may be relevant.

(NEETU KHAJURIA)  
COURT MASTER

(ASHA SONI)  
ASSISTANT REGISTRAR