

# Edelweiss Asset Reconstruction ... vs The Secretary, Department Of Financial ... on 27 April, 2021

**Author: Vipin Sanghi**

**Bench: Vipin Sanghi, Rekha Palli**

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IN THE HIGH COURT OF DELHI AT NEW DELHI  
W.P.(C) 3668/2021 and CM APPL. 11126/2021  
EDELWEISS ASSET RECONSTRUCTION  
COMPANY LTD

Through: Ms. Pragati Agraw

versus

THE SECRETARY, DEPARTMENT OF  
FINANCIAL SERVICES & ORS.

Through: Mr. Chetan Sharma  
Mr.Rakesh Kumar,  
Mr.Amit Gupta, Mr  
Gadeock, Mr. Saha  
Yadav, Mr. R.V. P  
for UOI.

Ms. Shruti Shivku  
respondent No. 2.

CORAM:  
HON'BLE MR. JUSTICE VIPIN SANGHI  
HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 27.04.2021 Learned counsel for the petitioner is stated to be suffering from COVID.

Learned counsel for respondent No. 2 puts in appearance. She wishes to file an affidavit. Let the same be filed within 10 days.

We are informed that, in the meantime, notice has been issued in the Original Application preferred by the petitioner.

List on 11.05.2021.

VIPIN SANGHI, J REKHA PALLI, J APRIL 27, 2021 kd \$~4 to 19.

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ CONT.CAS(C) 524/2020

NAGAR NIGAM SEWA NIVRIT  
KARMCHARI KALYAN SAMITI AND ORS

versus

+ GYANESH BHARTI ..... Res  
CONT.CAS(C) 189/2021 and CM No. 7235/2021  
NAGAR NIGAM SEWA NIVRIT  
KARMCHARI KALYAN SAMITI AND ORS ..... Pet

versus

+ GYANESH BHARTI ..  
W.P.(C) 3511/2020 and CM Nos. 21333/2020, 21335/20

23413/2020, 33151/2020, 6546/2021 & 7134/2021 COURTS ITS ON MOTION ..... Petitioner versus UNION OF INDIA & ORS ..... Respondents + W.P.(C) 3833/2020 and CM No. 13722/2020 COURT ON ITS OWN MOTION ..... Petitioner versus UNPAID SALARY OF TEACHERS AND EMPLOYEES OF NR.D.M.C. .... Respondent + W.P.(C) 5033/2020 and CM Nos. 18132/2020 & 20041/2020 AKHIL DILLI PRATHMIK SHIKSHAK SANGH (REGD.) ..... Petitioner versus GOVT. OF N.C.T.D & ORS. .... Respondents + W.P.(C) 5389/2020 HOSPITAL EMPLOYEES UNION ..... Petitioner versus NORTH DELHI MUNICIPAL CORPORATION & ANR. .... Respondents + W.P.(C) 5533/2020 and CM No. 19966/2020 NAGAR NIGAM SEWA NIVRIT KARMCHARI KALYAN SAMITI (UNREGISTERED) AND ORS..... Petitioners versus GOVT.OF N.C.T.DELHI, & ANR. .... Respondents + W.P.(C) 5833/2020 and CM No. 21093/2020 MCD RETIRED ENGINEERS ASSOCIATION DELHI (REGISTERED) THROUGH ITS GENERAL SECRETARY MR. K.S. SANDHU ..... Petitioner versus GOVERNMENT OF NCT, DELHI THROUGH THE PRINCIPAL SECRETARY, FINANCE & ORS. .... Respondents + W.P.(C) 6075/2020 HOSPITAL EMPLOYEES UNION ..... Petitioner versus NORTH DELHI MUNICIPAL CORPORATION & ANR.

..... Respondent + W.P.(C) 6532/2020 and CM No. 22869/2020 DDA AND MCD JANVADI KARMCHARI UNION (REGD.5128) ..... Petitioner versus GOVT.OF N.C.T.DELHI, & ANR. .... Respondents + W.P.(C) 7193/2020 and CM No. 24315/2020 DELHI MUNICIPAL WORKERS UNION REGD..... Petitioner versus NORTH DELHI MUNICIPAL CORPORATION & ANR.

..... Respondent + W.P.(C) 7417/2020 and CM No. 24809/2020 PARA MEDICAL TECHNICAL STAFF WELFARE ASSOCIATION OF MCD ..... Petitioner versus UNION OF INDIA & ANR. .... Respondents + W.P.(C) 7731/2020 and CM Nos. 25505-06/2020 DILLI NAGAR NIGAM CHATURTH SHRENI KARMCHARI LOKHIT MORCHA REGD ..... Petitioner versus GOVT OF NCT DELHI & ANR. .... Respondents + W.P.(C) 8065/2020 and CM Nos. 26234-35/2020 PARA MEDICAL TECHNICAL STAFF WELFARE ASSOCIATION OF MCD ..... Petitioner versus UNION OF INDIA & ORS. .... Respondents + W.P.(C) 100/2021 and CM No. 301/2021 SMT. SUNITA SEHGAL ..... Petitioner versus NORTH DELHI MUNICIPAL CORPORATION & ANR.

..... Respondent + W.P.(C) 364/2021 and CM Nos. 966-67/2021 DELHI NURSES UNION ..... Petitioner versus UNION OF INDIA & ORS. .... Respondents Through:-

Mr. Ranjit Sharma, Advocate for petitioner. Mr. Tarun Sharma, Ms. Akanksha Kapoor and Ms. Shivani Aggarwal, Advocates for applicant in Item No. 6 and petitioner in Item Nos. 15, 17 & 19.

Mr. Anil Soni, CGSC for UOI in Item No. 6. Mr. Gaurang Kanth, SC with Ms. Biji Rajesh, Advocate for EDMC in Item No. 6.

Mr. Prabhas Bajaj, Advocate for Indian Medical Association (IMA) in Item No. 6.

Mr. Manu Chaturvedi, SC and Mr. Arjun Rekhi, Advocate for respondent/ EDMC in Item Nos. 6 & 11. Mrs. Avnish Ahlawat, Standing Counsel, GNCTD (Services) with Mr. Nitesh Kumar Singh, Mrs. Tania Ahlawat and Ms. Palak Rohmetra for respondent/ DOE in Item Nos. 7, 8, 10 & 13. Mr. N. Bhushan, Advocate for petitioner in Item Nos. 9 & 12. Mr. Rono Mohanty, Ms. Chikirsha Mohanty, Ms. Ishita Mohanty and Ms. Anju Mohanty, Advocates for petitioner in Item No. 11. Mr. Naushad Ahmed Khan, ASC, GNCTD in Item No. 11. Mr. Gaurang Kanth, SC with Ms. Biji Rajesh, Advocate for SDMC in Item No. 12.

Mr. Ajay Digpaul, CGSC with Mr. Kamal R. Digpaul, Advocate for UOI in Item No. 17.

Mr. Shubham Pundhir and Mr. Anuj Aggarwal, Advocates for petitioner in Item No. 18.

Ms. Garima Jinda, Advocate for Ms. Namrata Mukim, Standing Counsel for NDMC in Item No. 18. Mr. Rajesh Gogna, CGSC with Mr. Amit Gupta, Advocate for UOI in Item No. 19.

Mr. Sandeep Sethi, Senior Advocate with Mr. Satyakam, ASC, GNCTD in WP(C) Nos. 5389/2020, 3511/2020, 5533/2020, 6075/2020, 7193/2020, 7417/2020, 7731/2020 & 8065/2020. Mr. Divya Prakash Pande, SC with Mr. Akhil Mittal, Advocate for Nr.DMC and SDMC.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI HON'BLE MS. JUSTICE REKHA PALLI  
ORDER % 27.04.2021 At the outset, Mr. Pande, learned counsel for the South Delhi Municipal Corporation and North Delhi Municipal Corporation states that he has moved an application vide Diary No. 375339/2021 dated 24.04.2021. However, the same has not been listed today. The Registry may list the said application as soon as the same is cleared. Mr. Pande states that he has not received any notification of the said application raising any objection.

We are informed that so far as South Delhi Municipal Corporation is concerned, all salaries and pensions have been paid up to date i.e. March, 2021. So far as North Delhi Municipal Corporation is concerned, all salaries and pensions have been paid in respect of some categories of employees till January, 2021, whereas in respect of some other categories of employees, the same has been paid up to February, 2021. All working as frontline worriers to deal with the Covid-19 Pandemic have been paid up

to February, 2021. We are also informed that East Delhi Municipal Corporation has also paid salaries and pensions up to March, 2021, and there are no arrears outstanding.

Mr. Pande states that the application has been moved so as to seek direction for releasing of the first instalment i.e. 25% of the GIA and the BTA to be received from the GNCTD so that the salaries and pensions which are outstanding could also be paid. He further states that on account of the resurgence of the Pandemic, the working and revenue of the corporations have taken a serious hit and on the other hand, expenditure towards meeting, the medical needs of people who are being treated as hospitals run particularly by the North Delhi Municipal Corporation is draining out the resources of the corporation.

Let the application be brought on record. Since the advance copy of the application stands served on Mr. Satyakam, learned standing counsel for the GNCTD, let reply to the application be filed within four weeks.

List on 31.05.2021.

VIPIN SANGHI, J REKHA PALLI, J APRIL 27, 2021 kd \$~31.

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 5043/2021  
COURT ON ITS OWN MOTION  
Through:

versus

GOVT OF NCT (GNCTD) AND ORS.  
Through:

Mr. Santosh Tripa

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI HON'BLE MS. JUSTICE REKHA PALLI  
ORDER % 27.04.2021 Hon'ble the Chief Justice has placed the aforesaid matter before our Bench.

Issue notice. Mr. Santosh Tripathi, Advocate accepts notice on behalf of the respondents. He wishes to file a reply and take corrective steps.

List on 29.04.2021.

VIPIN SANGHI, J REKHA PALLI, J APRIL 27, 2021 kd