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

+ **LPA 557/2017 & C.Ms. 29996-97-98/2017**

SETH BHAGWAN DASS SENIOR SECONDARY PUBLIC  
SCHOOL & ANR. .... Appellants

Through: Mr. Ravi Gupta, Sr. Adv. with  
Mr. Ankit Jain & Mr. Sachin Jain, Advocates

Versus

GOVT OF NCT OF DELHI & ORS. .... Respondents

Through: Mr. Ramesh Singh, Standing  
Counsel for GNCTD, Mr. Naushad Ahmed  
Khan, Addl. Standing Counsel, Mr. Rahul  
Rajput & Mr. Manzar Anis, Advocates

**CORAM**

**HON'BLE MR. JUSTICE S. RAVINDRA BHAT**

**HON'BLE MR. JUSTICE SUNIL GAUR**

**ORDER**

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**23.08.2017**

Issue notice.

Mr. Ramesh Singh, Standing Counsel for Government of NCT of Delhi appears and duly accepts notice. With consent, the appeal is heard for disposal.

The limited grievance of appellants is to the order of Single Judge dated 12<sup>th</sup> July, 2017 directing to repay the deposit of excess amount charged in the year 2009-10. The learned Single Judge had refused to grant full stay of the Committee's decision dated 15<sup>th</sup> April, 2015 holding that sufficient material was shown to establish that the teachers had been paid salaries since the full amounts were given through bearer cheques.

The writ petition is scheduled to be heard by the learned Single Judge on merits and is listed for hearing on 25<sup>th</sup> September, 2017. Having regard to overall circumstances, the Court is of the opinion that the impugned order be appropriately modified to enable the appellants to deposit the half of the amount (total of which is about ₹26,13,732.66). The said amount shall be deposited with the Registrar of this court on or before 15<sup>th</sup> September, 2017. The Registrar shall ensure that the same is kept in recurring fixed deposit and made available, subject to final outcome of the writ petition. So far as the balance is concerned, the appellants shall furnish adequate security in the form of immovable property or pledge of fixed deposits etc. to the satisfaction of the Registrar.

Parties are directed to appear before the Registrar in this regard on 11<sup>th</sup> September, 2017. The appeal is partly allowed in terms of the above modification without prejudice to the rights and contention of the parties.

The appeal and pending applications are disposed of.

**S. RAVINDRA BHAT, J**

**SUNIL GAUR, J**

**AUGUST 23, 2017**

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