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

+ W.P.(C) 6781/2018 & C.M. Nos.25718/2018 (for stay) & 25719/2018
(by the petitioner for permission to file lengthy list of dates and synopsis)

INDIAN INSTITUTE OF MASS COMMUNICATION
(IIMC) AND ORS. Petitioners
Through Mr.Amit Singh, Adv.

versus

SHIVAJI SARKAR Respondent
Through Mr.Nikhil Bhardwaj, Adv.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **05.07.2018**

Caveat No. 586/2018

1. Appearance is entered on behalf of the respondent/caveator, who states that a complete set of the paper book has been served on him.

2. In view of the above, the caveat stands discharged.

W.P.(C) No.6781/2018

1. This order is in continuation of the order dated 4th July, 2018 when we had enquired from the learned counsel for the petitioners as to what survives in the present petition wherein a challenge has been

made to a judgment dated 13th March, 2018 passed by the Tribunal allowing the OA filed by the petitioner and permitting him to continue in IIMC, New Delhi particularly since he had already superannuated on 31st March, 2018. Learned counsel for the petitioner had sought time to obtain instructions from his client.

2. Today, he states on instructions that the petitioners do not wish to press the present petition. He, however, requests that it may be clarified that the impugned judgment shall not be treated as a precedent in any other case.

3. The present petition is accordingly disposed of as not pressed with a clarification that the impugned judgment shall not be treated as a precedent in any other case and in the event any other employee of the petitioners, approaches the Tribunal for similar relief, a decision shall be taken on the basis of the fact situation of the said case.

4. At this stage, learned counsel for the respondent states that the petitioners have neither released the retiral dues of the respondent nor paid the arrears of his salary for six months. He further states that the petitioners have also withheld the 'No Objection Certificate' of the respondent to enable him to apply elsewhere.

5. Learned counsel for the petitioners states that necessary steps shall be taken in this regard expeditiously and the retiral dues and arrears of salary shall be released in favour of the respondent within four weeks from today, along with the 'NOC'.

6. The petition is disposed of along with pending applications.

HIMA KOHLI, J

REKHA PALLI, J

JULY 05, 2018/aa