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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 459/2017

SUNIL KUMAR

..... Petitioner

Through: Mr. Anil Mittal, Adv. with Ms.
Komal Aggarwal, Adv.

versus

SANDEEP KUMAR

..... Respondent

Through: Mr. Sarfaraz Khan, Adv. with Mr.
Ataur Rahman, Adv. for DTC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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14.05.2018

The contempt petition has been filed alleging non-compliance of order dated March 16, 2017 in W.P.(C) No. 9885/2015 whereby this Court has directed in para 13 with regard to the petitioner herein, the following:-

“13. In view of the aforesaid, the impugned order of termination dated 19.07.2013 terminating Sunil Kumar being untenable in law is quashed and set aside. Accordingly, we allow W.P.(C) No. 9885/2015 filed by Sunil Kumar with the direction that he would be given alternative employment in a suitable post. On the question of payment of back wages, the DTC is directed to pay 50% back wages to Sunil Kumar but the period between termination and reinstatement would not be treated as a break in service, and the salary on re-employment would include the increments that he would have earned. Compliance with the aforesaid directions will be made within 10 weeks from the date of this judgment and delay, if any, would

entitle Sunil Kumar to interest at the rate of 9% on the amount payable till date of payment.”

Mr. Khan states that an order dated May 09, 2018 has been passed complying with the order of this Court. He also states, pursuant to the said order, the petitioner is required to report to Mr. Santosh Kumar, Manager, Rohini Depot-III for duties. Mr. Mittal states that the petitioner shall report to him tomorrow. Mr. Khan has also handed over to Mr. Mittal a demand draft for ₹6,76,138/-. He also states, the said amount is in terms of the order of which contempt is alleged. In other words, no further amount is payable.

Mr. Mittal states, subject to confirmation/reconciliation of the amount of ₹6,76,138/-, paid by the respondent, nothing further survives in the contempt petition.

It is made clear, if any further amount is due and payable to the petitioner, the petitioner shall make a representation to the respondent within four weeks from today and the same shall be answered by the respondent within four weeks thereafter. The contempt petition is disposed of.

V. KAMESWAR RAO, J

MAY 14, 2018/ak