

\$~47.

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

+ **CONT. CAS (C) 820/2018**

KUNWAR PAL

..... Petitioner

Through: Mr.Anil K.Aggarwal, Adv. with
Mr.K.S.Wahi, Adv.

Versus

ANIL BAIJAL & ORS.

..... Respondents

Through: Mr.Satyakam, ASC with Mr.Mohit
Kumar Bafna, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

30.10.2018

%

1. *Inter alia* contending that directions issued on 13th March, 2018 in W.P.(C) No.3834/2016 have not been complied with and recommendations of the Finance Commission are not being placed before the Lieutenant Governor in accordance with the constitutional scheme contained under Article 243-I and 243-Y of the Constitution of India as a result EDMC has been unable to pay salary to Grade-‘A’, ‘B’ and ‘C’ employees since last four months, this application has been filed for initiating the action for contempt.

2. Having heard learned counsel for the parties, we find that after order in question dated 13th March, 2018 was passed, the matter was taken up again on various dates and orders were passed by this Court from time to time directing for payment of salary and against the subsequent orders passed after 13th March, 2018, Special Leave petition was filed and the

matter is now *sub judice* before the Hon'ble Supreme Court.

3. Keeping in view the fact that the matter is *sub judice* before the Supreme Court and there are certain interlocutory orders passed by the Supreme Court, we are not inclined to initiate any action for contempt, particularly, when the original writ petition is still pending consideration before this Court and has been adjourned only because the matter is *sub judice* before the Hon'ble Supreme Court.

4. Accordingly in the peculiar facts and circumstances of the case, we are not inclined to initiate any action of contempt. The petition is accordingly dismissed.

CHIEF JUSTICE

ANUP JAIRAM BHAMBHANI, J

OCTOBER 30, 2018

'anb'