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

+ W.P.(C) 6169/2019, CM APPL. 26514/2019 and CM APPL.
26515/2019

**DELHI SIKH GURUDWARA MANAGEMENT COMMITTEE
& ANR** Petitioners

Through: Mr. Jasmeet Singh, Ms. Tejaswini and
Ms. Jaskaran Kaur, Advocates
Mr. Mohd. Hashim Miyan, Advocate for
P- 4,5,6,9&13
versus

GOVT OF NCT OF DELHI & ORS Respondents
Through: Mr. Sachin Nahar, Advocate for R-1

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI
ORDER
% **05.03.2020**

Respondent nos. 4-6, 9 and 10 have not been paid their salaries from May, 2019. This is most anomalous because an employee, especially the one who is serving an educational institution, expects that he or she would receive his/her salary at the end of the month, so as to take care of their respective families. Non-payment of salary for the last ten months is inexplicable and is in breach of the respondent's legal rights.

The learned counsel for the petitioner, submits that payment of certain amount i.e. roughly Rs. 1,64,108/- has been made to R-6, in three instalments between December and February. However, that is no relief on financial succour to the respondent because this payment is apropos salary

due for the year 2018, which evidently was paid almost a year and a half later, in three instalments ending in February, 2020. This is most irregular.

The deprivation of salary of the respondent-employee is acute and cannot be allowed to fester.

The non-payment of salary for 10 months i.e. from July 2019, further compound the manner in which the institution is being run.

The learned counsel for the petitioner submits that efforts are under way to put the financial affairs in order. He submits that the institution runs upon donations and contributions, which, for some reason, in the previous year had lessened, therefore, the management is in the process of generating funds from other sources as well, so that the employees who have served the institution for years, be paid their monies as soon as possible. He expects some funds to come in this month itself and at the beginning of the next academic year, April 2020.

In the circumstances, as has been directed for other institutions managed by the petitioner no. 1, the petitioner is directed to pay the arrears of salary of the respondents to them in three equal tranches. First one be paid by 15.03.2020, second by 31.03.2020, and the last one by 15.04.2020. Salary for the month of March too shall be paid on the date it becomes due in April.

It goes without saying that delay in payment is deprivation of the legitimate dues to the employees. It should, therefore, be made available to them with the corresponding interest thereon.

In circumstance, interest on the delayed payment shall be paid @ 9% p.a. Salary slips and computation of the salary shall be furnished to the respondents on or before 15.03.2020.

The petition is disposed-off in above terms.

NAJMI WAZIRI, J

MARCH 05, 2020

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Signature Not Verified

Digitally signed By: KAMLESH
KUMAR

Signing Date: 12.03.2020
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