

\$~69

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

%

Decided on: 19.02.2020

+ CONT.CAS(C) 727/2019

BALBIR KAUR DAHELE

..... Petitioner

Through: Mr.Rohit Bhagat, Adv.

versus

MANJINDER SINGH SIRSA & ORS

..... Respondents

Through: Mr. Inderbir Singh Alag, Sr. Adv.
with Mr. Pravir Singh and Ms.
Tejaswini, Advs. for school/society.
Ms. Latika Chaudhary, Adv. for
DOE.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Oral)

1. The Department of Education has computed the amounts due to the petitioner as Rs. 6,21,216/-. In terms of the Minutes of the Meeting dated 11.11.2019, the School Management was granted two days' time to submit its verified computation, but it did not do so despite a lapse of more than three days.
2. Mr. Alag, the learned Senior Advocate for the management, submits that the said computation includes some amounts towards Transport Allowance and applicable Dearness Allowance on that.

3. Be that as it may, insofar as there is a computation obliging the management to pay the monies, the same are payable to the petitioner alongwith interest @ 9% per annum, from the date when the amounts became due to the petitioner.

4. For the amounts which are due, the management states that it may take recourse to legal remedies apropos the Transport Allowance but such amounts which are admitted and if not already paid, shall be paid to the petitioner. Evidently, monies have been due to the petitioner for quite some time. In fairness, she should be compensated for the period for which she has been deprived of her monies. In the circumstances, it is ordered that 9% interest per annum be paid on the outstanding amounts and also for delays in payments to the employees.

5. The Department of Education shall compute fresh amounts payable, alongwith interest @ 9% per annum from the date when each of the amounts became due to the petitioner. This exercise shall be carried out within a period of four weeks from today and be communicated to the parties. The management shall pay the monies to the petitioner within a period of eight weeks thereafter.

6. If the petitioner has not received any emoluments, then from the monies deposited by the management, the requisite amount of Rs. 6,21,216/- shall be released to her. The learned Senior Advocate for the management submits that it has deposited an amount of Rs. 5,06,046/-. Let the same be promptly released to the petitioner, alongwith interest accrued thereon @ 9%, if not already released.

7. The balance amount shall be deposited within a period of eight weeks of intimation, alongwith interest as may be calculated by the Directorate of Education.
8. Copy of the computation shall be sent to the petitioner through her counsel, as well.
9. The petition is disposed-off in the above terms.

FEBRUARY 19, 2020

AB

NAJMI WAZIRI, J

न्यायमेव जयते