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

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Decided on: 19.02.2020

+ W.P.(C) 11783/2018, CM APPL. 45622/2018 & CM APPL. 42300/2019

SMT. VINOD VERMA

..... Petitioner

Through: Mr.Nikhilesh Kumar and Mr.Pradeep Dudy, Advs.

versus

DIRECTORATE OF EDUCATION AND ORS. Respondents

Through: Mr. Inderbir Singh Alag, Sr. Adv.
with Mr. Pravir Singh and Ms. Tejaswini, Advs. for school/society.
Mr. Subrahmanyam and Mr. Abhishek Sharma, Advs. for R1.

+ W.P.(C) 11801/2018, CM APPL. 45663/2018 & CM APPL. 42305/2019

SUMAN SHARMA

..... Petitioner

Through: Mr.Nikhilesh Kumar and Mr.Pradeep Dudy, Advs.

versus

DIRECTORATE OF EDUCATION & ORS Respondents

Through: Mr. Inderbir Singh Alag, Sr. Adv.
with Mr. Pravir Singh and Ms. Tejaswini, Advs. for school/society.
Mr. Subrahmanyam and Mr. Abhishek Sharma, Advs. for R1

+ W.P.(C) 11819/2018, CM APPL. 45807/2018 & CM APPL. 42301/2019

SATWANT KAUR SABHARWAL

..... Petitioner

Through: Mr.Nikhilesh Kumar and Mr.Pradeep Dudy, Advs.

versus

DIRECTORATE OF EDUCATON & ORS

..... Respondents

Through: Mr. Inderbir Singh Alag, Sr. Adv.
with Mr. Pravir Singh and Ms. Tejaswini, Advs. for school/society.
Mr. Subrahmanyam and Mr. Abhishek Sharma, Advs. for R1

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Oral)

1. These petitions seek payment of monies due to the petitioners in terms of the Settlement vide this Court's order dated 23.09.2019 with the management, whereunder they have to be paid the dues in ten instalments.
2. On 23.09.2019, this Court had passed the following order in W.P.(C) 11783/2018:

“ 1. Vide order dated 20.09.2019 this Court after recording the submission of the learned counsel for the respondent nos.2 & 3 that they were willing to pay the amount as quantified in their counter affidavit i.e. Rs. 10,26,225/- in ten instalments, had adjourned the matter at the request of the learned counsel for the petitioner to enable him to obtain instructions as to whether the said offer made by the respondent nos.2 & 3 was acceptable to the petitioner.

2. Today, learned counsel for the petitioner submits that in order to amicably settle the matter, the petitioner is agreeable to the aforesaid offer made by the respondent nos.2 & 3 and is willing to accept the amount of Rs. 10,26,225/- in ten instalments. It may be noted that out of the aforesaid amount, a sum of Rs. 1,00,000/- has already been paid to the petitioner on 20.09.2019 and, therefore, the remaining amount will be paid in nine equal instalments beginning from 07.10.2019.

.....”

3 Similarly, in W.P.(C) 11801/2018, the following order was passed on 23.09.2019:

“1. Vide order dated 20.09.2019 this Court after recording the submission of the learned counsel for the respondent nos.2 & 3 that they were willing to pay the amount as quantified in their counter affidavit i.e. Rs.9,82,440/- in ten instalments, had adjourned the matter at the request of the learned counsel for the petitioner to enable him to obtain instructions as to whether the said offer made by the respondent nos.2 & 3 was acceptable to the petitioner.

2. Today, learned counsel for the petitioner submits that in order to amicably settle the matter, the petitioner is agreeable to the aforesaid offer made by the respondent nos.2 & 3 and is willing to accept the amount of Rs.9,82,440/- in ten instalments. It may be noted that out of the aforesaid amount, a sum of Rs. 1,00,000/- has already been paid to the petitioner on 20.09.2019 and, therefore, the remaining amount will be paid in nine equal instalments beginning from 07.10.2019.

.....”

4. In W.P.(C) 11819/2018, the following order was passed on 23.09.2019:

“1. Vide order dated 20.09.2019 this Court after recording the submission of-the learned counsel for the respondent nos.2 & 3 that they were willing to pay the amount as quantified in their counter affidavit i.e. Rs. 15,11,438/- in ten instalments, had adjourned the matter at the request of the learned counsel for the petitioner to enable him to obtain instructions as to whether the said offer made by the respondent nos.2 & 3 was acceptable to the petitioner.

2. Today, learned counsel for the petitioner submits that in order to amicably settle the matter, the petitioner is agreeable to the aforesaid offer made by the respondent nos.2 & 3 and is willing to accept the amount of Rs. 15,11,438/- in ten instalments. It may be noted that out of the aforesaid amount, a sum of Rs. 1,00,000/- has already been paid to the petitioner on 20.09.2019 and, therefore, the remaining amount will be paid in nine equal instalments beginning from 07.10.2019.

.....”

5. The learned Senior Advocate for the management submits, upon instructions, that the said payments shall be continued to be paid as directed. The assurance is accepted.

6. The petitioners have since superannuated, therefore, the emoluments due to them apropos the Seventh Pay Commission would be paid to the petitioners the moment the management, starts paying the same to its other employees.

7. However, should the petitioners be aggrieved by inordinate delay or for any other reason, in the payments of monies, in terms of the Seventh Pay Commission, liberty is granted to them to take remedies as per law.
8. The petitions are disposed-off in the above terms.

NAJMI WAZIRI, J

FEBRUARY 19, 2020

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