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

+ FAO(OS) 103/2023 & CM APPL.49432/2023

KIRAN BHASIN BHATIA

..... Appellant

Through: Mr.Ajay Verma, Sr.Advocate with
Mr.Aranya Moulick and Mr.Smridhi
Babbar, Advocates.

versus

**TEACHERS AND STAFF OF S.S. MOTA SINGH MODEL
SCHOOL (SENIOR SECONDARY) AND ORS & ORS.**

..... Respondents

Through: Mr.Achin Goel, Advocate (through
VC).

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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04.03.2024

1. Present appeal has been filed challenging the orders dated 12th July, 2023, 02nd August, 2023 and 18th August, 2023 passed by a learned Single Judge of this Court in CS(OS) 704/2021, whereby the Appellant-Plaintiff was directed to be physically present in Court in case the salaries of Defendants therein remained unpaid and whereby the application seeking exemption from personal appearance was dismissed.
2. The suit is stated to have been filed by the Appellant-Plaintiff in her personal capacity seeking permanent and mandatory injunction against the Respondents-Defendants from holding *Dharna*/Demonstration outside the house/gate of the Appellant-Plaintiff i.e. A-89, Ground Floor, Narang Colony, New Delhi-110058.
3. Learned counsel for the Respondents-Defendants is in agreement that the direction in the impugned order to the Appellant-Plaintiff to remain



personally present in Court in the event salaries of the Respondents-Defendants remained unpaid be set aside as independent contempt proceedings have already been initiated by the Respondents-Defendants. He further assures and undertakes to this Court that the Respondents-Defendants shall not hold any *Dharna*/Demonstration within a distance of 250 metres from the residence of the Appellant-Plaintiff at A-89, Ground Floor, Narang Colony, New Delhi-110058. He also assures and undertakes to this Court that the *Dharna*/Demonstration shall be conducted peacefully without creating any security hazard or unnecessary inconvenience to the residents of the locality, including the Appellant-Plaintiff and her family members.

4. The statements/assurances/undertakings given by learned counsel for the Respondents-Defendants are accepted by this Court and the Respondents-Defendants are held bound by the same. Accordingly, the present appeal is disposed of along with pending application in terms thereof.

5. The suit of the Plaintiff is also decreed in terms of the aforesaid assurances/undertakings given by learned counsel for the Respondents-Defendants. Accordingly, the next date of hearing before the learned Single Judge is cancelled.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MARCH 4, 2024/TS