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

+ W.P.(C) 6051/2013 and C.M. APPL. 28307/2017

S P GULATI

.....Petitioner

Through: Petitioner in person.

versus

THE MANAGER HIRA LAL JAIN SR. SECONDARY
SCHOOL & ANR.

.....Respondents

Through: Mr. Anuj Aggarwal, Additional
Standing Counsel with Mr. Siddhant Dutt,
Advocate for DoE.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

13.11.2024

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1. There is no appearance on behalf of the School despite being aware of the matter being listed today.
2. Mr. Anuj Aggarwal, learned counsel appearing on behalf of the DoE submits that an affidavit has been filed in which a stand has been taken that *albeit* the Petitioner, as evident from the Attendance Register sent by the School, worked from 01.08.2011 to 27.04.2012 but his re-employment was without approval from DoE. It is also submitted that the Petitioner has already been paid a sum of Rs.80,000/-.
3. There is a dispute between the DoE and the School with regard to approval of the Petitioner's appointment on re-employment with the School. However, what is not disputed is that Petitioner actually worked from 01.08.2011 to 27.04.2012 as fortified by the Attendance Register and



naturally with the approval and consent of the School. Petitioner, who appears in person and is aged nearly 73 years today and ailing, submits that while the entitlement of the Petitioner to the monthly salary is far more than Rs.20,000/- per month that was paid to him for some months, but considering his age and health, he will be happy to settle the matter if payment is directed @ Rs.20,000/- per month for the period for which he had worked with the School after deducting Rs.80,000/-.

4. After hearing the Petitioner and learned counsel for DoE and to put a quietus to the long drawn litigation which commenced in 2013 and considering that Petitioner has indisputably worked in School from 01.08.2011 to 27.04.2012, this writ petition is disposed of without entering into further merits of the case with a direction to the Respondents to release remaining salary of the Petitioner considering that he worked from 01.08.2011 to 27.04.2012 @ Rs.20,000/- per month along with an interest @ 2% per annum from 27.04.2012 till the date of actual payment. Considering that the School is an aided School, payment shall be made in the required proportion by the DoE and the School as per law.

5. It is made clear that this order is being passed in the special facts of this case and will not be treated as a precedent and/or cited in any other case.

6. Petition along with pending application stands disposed of.

JYOTI SINGH, J

NOVEMBER 13, 2024/shivam