



\$~12

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

+ **LPA 752/2013**

THE MANAGING COMMITTEE

MOUNT ST. MARY'S SCHOOL

..... Appellant

Through: Mr.K.Sulatan Singh, Sr Advocate
with Mr.Rajiv Kumar Choudhary,
Advocate.

versus

NIRVIKALP MUDGAL

..... Respondent

Through: Mr.Deepak Kumar, Advocate with
respondent in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

08.04.2024

%

1. After some arguments, the learned counsel for the parties states that parties are agreeable to an amicable resolution of their dispute. The learned senior counsel for the appellant, under instructions, submits that all sums deposited with the Delhi School Tribunal and this Court along with accrued interest be released to the respondent forthwith towards full and final settlement of his claims.
2. The learned counsel for the respondent, under instructions of the respondent (who is present in Court) accepts the same and states that the respondent will not insist upon reinstatement or any further payments.
3. There is controversy as to whether the termination of the respondent's services was illegal, in view of the requirements of Rule 105 of the Delhi School Education Rules, 1973 as held by the learned Single Judge. According to the appellant, there is no requirement of communicating any reasons if the services are terminated during the probation period. It is also



submitted that termination of service during the period of the probation is not stigmatic.

4. Since the parties have resolved their disputes, it is thus not necessary to examine these issues in the present case. We leave the question as sought to be raised in the present appeal, open.

5. The parties are bound down by the respective statements of their counsel in respect of their settlement.

6. The Registry is directed to release the amount as deposited by the appellant forthwith along with accrued interest in favour of the respondent. The Delhi School Tribunal is also directed to release the amount as deposited by the appellant in the Execution Petition No.08/2013 in Appeal No.37/2010 along with accrued interest thereon to the respondent.

7. In view of the above, the appeal stands disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

APRIL 08, 2024

M

Click here to check corrigendum, if any