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

+ **CONT.CAS(C) 745/2025**

NEELAM CHATURVEDI

.....Petitioner

Through: Mr. Akshay Sharma, Mr. Dev Pratap
Shahi and Mr. Yogya Bhatia,
Advocates.

versus

RAKESH KUMAR GUPTA & ORS.

.....Respondents

Through: Mr. Pramod Gupta, Ms. Himanshi and
Ms. Deeksha Kandelwal, Advocates
for R-1 to R-3.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

26.11.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 seeks the following prayers: -

“a. Initiate contempt proceedings against the Contemnors/
Respondent No.1 to 3 under section 10 of the Contempt of Courts
Act, 1971 for wilful disobedience of order dated 28.02.2025 passed
by the Ld. Presiding Officer, Delhi School Tribunal, Timarpur,
Delhi-110054;

b. Punish the Contemnors/ Respondents No. 1 to 3 under section
12 of the Contempt of Courts Act, 1971 for wilful disobedience of
order dated 28.02.2025 passed by the Ld. Presiding Officer, Delhi
School Tribunal, Timarpur, Delhi-110054;

c. Award litigation costs in favour of the Petitioner and against the
Contemnors/ Respondents;



d. Pass any further order(s) as this Hon'ble Court may deem fit, proper and necessary in the facts and circumstances of the present case in the best interest of justice.”

3. *Vide* judgment dated 28.02.2025 in Appeal No. 26/2023, the learned Delhi School Tribunal had passed the following directions: -

“32. The respondents directed to reinstate the appellant in service alongwith all consequential benefits w.e.f 17.04.2023 i.e. date of illegal termination. The monetary benefit as accrued will be payable within four weeks’ time failing which liable to pay additional interest @ 9% per annum till consequential benefit will be release.

33. With respect to back wages, in view of the mandate of Rule 121 of DSFR 1973 read with Guru Harikishan Public School through its managing Committee v/s DOE 2015, Lab I C 4410 of Delhi High Court Full Bench, appellant is directed to submit an exhaustive representation before the management of respondent school within a period of four weeks from today as to how and in what manner she is entitled to full back wages. The respondent school is directed to decide the representation to be given by the appellant within four weeks of receiving of the same by a speaking order and to communicate the order along with the copy of the same to the appellant.”

4. During the pendency of the present petition, the learned Predecessor Bench of this Court, *vide* order dated 09.05.2025, in paragraph 4 thereof, had crystallized the three sets of directions, as were pointed out by learned counsel for the petitioner. in the following manner: -

“a) For reinstatement of petitioner, which has not been complied with, considering that she was reinstated, but was sent on paid leave on the pretext that the subject that she was teaching was not being taught any more. Counsel for petitioner states that the subject was being taught for last 35 years.

b) As regards back wages, representation was to be decided by the



School within four weeks, which has not been done.

c) There were costs of Rs. 1,000/- to be paid to petitioner, which has also not been complied with.”

5. *Vide* reply dated 06.09.2025, respondent Nos. 1 to 3, in respect of the aforesaid directions, has submitted as under: -

“3. That all the three aforementioned issues, raised by the Petitioner, have been duly complied with by the school, as under:-

“a) Neelam Chaturvedi has been reinstated in School w.e.f. 01.04.2025 and is being paid full salary w.e.f 01.04.2025 vide communication dated 01.04.2025 even though without any work, since there are no students for the subject of Geography in Class XI and XII. Order of reinstatement dated 01.04.2025 is annexed herewith and is marked as **ANNEXURE R – 1**;

b) Representation w.r.t her back wages has been decided by the School Management Committee in exercise of its powers under Rule 121 of Delhi School Education Rules, 1973 and the same has been conveyed to the Petitioner vide communications dated 21.05.2025 & 28.05.2025 and a cheque of Rs.15,01,035/- has been given to Ms. Neelam Chaturvedi, which has been duly encashed by her. Communication dated 21.05.2025 & 28.05.2025 are annexed herewith and is marked as **ANNEXURE R – 2** ; and

c) Cost of Rs.1000 has also been paid to Ms.Neelam Chaturvedi by IMPS on 13.05.2025.”

6. Learned counsel for the petitioner submits that the contention of the respondent with respect to the petitioner being now relieved on account of the fact that there are no students of subject Geography class in class-XI & XII is contrary to the judgment passed by the learned DST as the same was dealt with by learned DST. Attention of this Court has been drawn to para-23 thereof. It is further submitted that even the direction of back wages have not



been complied with.

7. *Per contra*, learned counsel for the respondents submits that insofar as the issue of petitioner being relieved from the school is concerned, the same has been done with the approval of the Directorate of Education. It is pointed out that before relieving, the petitioner was reinstated and was paid the wages in accordance with the direction passed by the learned Delhi School Tribunal. Insofar as the payment of back-wages is concerned, it is pointed out that learned Delhi School Tribunal itself in para 33, as noted hereinbefore, has passed directions that the same will be decided by the Managing Committee in view of the mandate of Rule 121 of DSFR, 1973, after dealing with the representation of the petitioner. It is pointed out that a speaking order dated 21.05.2025 in pursuance of said directions has been passed and the same has been communicated to the petitioner.

8. In these circumstances, with respect to both the aforesaid issues, a fresh cause of action has accrued and the petitioner will be at liberty to take necessary steps in accordance with law before the Court of competent jurisdiction.

9. In view thereof, no further directions are called for in the present contempt petition.

10. Accordingly, the present petition is disposed of along with pending application(s), if any.

AMIT SHARMA, J

NOVEMBER 26, 2025/bsr