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

+ W.P.(C) 1536/2018, CM APPL. 6304/2018, CM APPL. 43492/2023

THE MANAGER MANAGEMENT COMMITTEE OF B.M.

GANGE GIRLS SR. SECONDARY SCHOOLPetitioner

Through: Ms. D. Verma and Ms. Neha Sharma, Advocates.

versus

SMT. SUSAN JAMES AND ORSRespondents

Through: Mr. Nasib Masih, Advocate for R1.
Mrs. Avnish Ahlawat, Standing Counsel (GNCTD) with Mr. Nitesh Kumar Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam, Mr. Mohnish Sehrawat and Mr. Amitoj Chadha, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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05.05.2025

1. The petitioner – B.M. Gange Girls Sr. Secondary School [“School”] has filed this writ petition against a judgment of the Delhi School Tribunal [“Tribunal”] dated 03.11.2017. By the said order, the Tribunal set aside an order of the School dated 30.04.2016, directing the petitioner not to report for duty with effect from 01.05.2016, as well as a resolution of the Managing Committee of the School dated 02.05.2016 regarding the re-employment of respondent No. 1 herein.
2. During the course of hearing, the School and respondent No. 1 have agreed to a consent order which will dispose of this writ petition.
3. The agreed order is that the respondent No. 1’s claims will stand closed upon a payment of Rs.2,55,675/- by the School to the respondent



no. 1, within four weeks from today. The amount has been computed on the basis of five months' salary, at the same rate as was paid to respondent No. 1 for the months of March and April, 2016.

4. The School will file an affidavit of undertaking within one week from today, stating that it will comply with the aforesaid order.

5. I am informed that respondent No. 1 resides outside India. She is directed to file an affidavit within four weeks, stating that her claims will stand satisfied upon payment of the aforesaid amount. A copy of the affidavit will also be furnished to the School, through counsel.

6. Subject to the filing of these affidavits, the amount shall be paid by the School to the respondent No.1 through counsel on record, within one week thereafter.

7. Since the School is an aided school, the School contends that respondent No. 2 – Directorate of Education [“DoE”] is liable to reimburse the School for this amount. However, this need not be decided in this writ petition. Accordingly, if the School claims the amount or any part thereof from DoE, it will be a matter to be sorted out between them in accordance with law. Suffice it to clarify that respondent No. 1 will be paid at the first instance by the School, without prejudice to the question of reimbursement from the DoE, which may be agitated separately.

8. The writ petition, along with the pending applications, stands disposed of in these terms.

PRATEEK JALAN, J

MAY 5, 2025/UK/SD/