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

+ **W.P.(C) 17352/2022 & CM APPL. 55193/2022**

SAMEER GUPTA

.....Petitioner

Through: **Mr. Anurag Pandey and Ms. Reena Pandey, Advocates.**

versus

**THE INSTITUTE OF COMPANY SECRETARIES OF INDIA
THROUGH ITS PRESIDENT & ORS.**

.....Respondents

Through: **Mr. Chinmay Sharma, Sr. Advocate with Mr. Shyam Kishor Maurya, Mr. Irfan Haseib, Advocates, Mr. Gaurav Tandon, Deputy Director and Mr. Ram Dhanka, AR.**

Ms. Arunima Dwivedi, CGSC with Ms. Monalisha Pradhan and Ms. Himanshi Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **25.09.2025**

1. The petitioner assails an order dated 18.06.2021 issued by respondent No. 1 – The Institute of Company Secretaries of India [“Institute”], by which his services were terminated, and an order dated 05.10.2021, by which the dismissal order was purportedly confirmed by the Appellate Authority. He also seeks reinstatement with back wages and service benefits.

2. In the course of hearing, learned counsel for the parties state that the parties have arrived at a mutual resolution of the disputes in the



following terms:

- a. The Institute agrees to withdraw the impugned dismissal of service dated 18.06.2021. The said order is, therefore, rendered null and void.
- b. Consequently, the appellate order dated 05.10.2021 is also rendered null and void.
- c. The petitioner wishes to resign from the service of the Institute with effect from today. He will submit a resignation letter to the Institute in the course of the day through his counsel, to Mr. Gaurav Tandon, Deputy Director [Law] of the Institute. If any formalities are required to be completed by the Institute for acceptance of the resignation, those will be completed within one week from today.
- d. For the period from the date of the impugned order, i.e. 18.06.2021, until today, the petitioner will be treated as having been under suspension, and will be paid subsistence allowance in accordance with Rule 69(1) of the Institute of Company Secretaries of India Service Rules, 1979.
- e. As the payment of subsistence allowance under the said Rule is contingent upon the employee not having been otherwise employed in the interregnum, Mr. Anurag Pandey, learned counsel for the petitioner, states upon instructions from the petitioner, who is present in Court, that the petitioner was not employed during this period. The subsistence allowance be paid to the petitioner within four weeks from today.
- f. The petitioner also claims that, in terms of the said Rule, he is



entitled to House Rent Allowance [“HRA”] for the period in question. The said entitlement is, however, contingent upon him having actually spent the said amount. As far as the HRA aspect is concerned, the petitioner will be paid an additional lump sum amount of Rs. 5,00,000/-.

3. It is made clear that this constitutes a full and final resolution of the disputes between the parties.
4. The writ petition, alongwith the pending application, is disposed of in the aforesaid terms.

PRATEEK JALAN, J

SEPTEMBER 25, 2025

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