



\$~53

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

+ LPA 56/2019 & CM APPL. 4222/2019, CM APPL. 35601/2019

SHRI HANUMAN MANDIR COMMITTEE (REGD) & ANR

.....Appellants

Through: Mr Shiv Charan Garg, Mr Imran Khan, Mr Raghav Garg, Advocates

versus

SIMMI KATHPAL & ORS

.....Respondents

Through: Ms. Kritika Matta, Mr. Anuj Aggarwal and Mr. Manas Verma, Advocates

Mr. Yeeshu Jain, ASC with Ms Jyoti Tyagi, Ms Priya Shukla, Advs. for R-2 & R-3

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

ORDER

03.09.2025

%

1. The instant appeal is directed against the Order dated 28.08.2018 passed by the learned Single Judge in W.P.(C) 6840/2017.
2. The prayer in the writ petition was primarily for a direction to the Appellant herein to comply with the Order dated 29.04.2017 passed by the Deputy Director of Education for payment of subsistence allowance of the Respondent No.1 herein pending enquiry.
3. It is stated by Mr. Shiv Charan Garg, learned Counsel for the Appellant/School that the said Order has been complied with. He, however, states that there are certain observations made in the impugned order which



goes on the merits of the matter which is pending consideration before the appropriate authorities.

4. It is made clear that since the prayer in the writ petition was confined only to grant of subsistence allowance which stands complied with, nothing survives in the present appeal.

5. It is further made clear that all the observations made by the learned Single Judge are to be limited only for the purpose of grant of subsistence allowance and cannot be taken as binding on the merits of the case which will be decided by the competent authority on the weight of the evidence adduced before it.

6. All the rights and contentions of all the parties are kept open.

7. The appeal is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

VIMAL KUMAR YADAV, J

SEPTEMBER 3, 2025

hsk