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

+ **W.P.(C) 1160/2026 & CM APPL. 5616/2026**

SHASHI BHUSHAN PANDEY & ORS.

.....Petitioners

Through: Ms. Geeta Luthra, Senior Advocate
with Ms. Spriha Jha, Ms. Janvi Desai,
Ms. Aparna Bhadoria, Advocates.

versus

THE DEPARTMENT OF EDUCATION & ORS.

.....Respondents

Through: Mr. Yeeshu Jain, ASC with Ms. Jyoti
Tyagi, Mr. Sachin Garg, Ms. Vishruti
Pandey, Advocates for R-1 & 2.
Mr. Onkar Prasad, Advocate for R-3
& 4.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

28.01.2026

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1. The present petition has been instituted by former teachers of Respondent No. 3 (the school). The reliefs sought traverse four broad directions: (i) fixation of salary in terms of the judgment dated 18th November, 2013 passed in W.P.(C) 3869/1999 and inspection and supply of photocopies of their service books; (ii) payment of arrears of salary; (iii) release of service benefits, including provident fund, gratuity and leave encashment; and (iv) updation of KYC in their provident fund accounts.

2. The petition is founded on a long history of grievance between a section of teachers and the management of Respondent No. 3. The Petitioners allege that they were appointed as teachers, were subjected to exploitation and harassment, were not paid salaries, and were denied elementary service documentation such as appointment letters of



confirmation and copies of their service books. They also refer to steps taken by the Directorate of Education in 1998–1999, including communications calling for staff statements and details of salary disbursement, and an enquiry which, according to the Petitioners, found merit in the teachers' grievances and led to directions relating to reinstatement.

3. These disputes and the consequent administrative directions led a group of affected teachers to approach this Court by way of W.P.(C) 3869/1999, challenging the termination of their services and seeking reinstatement with pay protection. The proceedings were disposed of on 18th November, 2013 on the basis of a recorded settlement between the parties which, *inter alia*, contemplated continuation of service of a specified set of teachers, payment arrangements for past arrears in a structured manner, and parity of pay package from the date of rejoining with equivalent teachers in Government schools of the Government of NCT of Delhi, while also clarifying how notional pay progression would operate for the limited purpose of retirement benefits.

4. The present Petitioners were thereafter engaged in further rounds of litigation, primarily in contempt jurisdiction, alleging non-compliance with the order dated 18th November, 2013. CONT.CAS(C) Nos. 268/2014, 270/2014, 271/2014 and 275/2014 were disposed of on 2nd February, 2015, with the Court declining to proceed in contempt in view of contested claims and leaving the Petitioners to pursue appropriate substantive remedies.

5. In a further contempt proceeding, being CONT.CAS(C) 499/2014, an order dated 20th April, 2015 directed the Respondents to produce the service records of the continuing petitioners so as to enable them to sign their service books and obtain photocopies thereof. However, the present



Petitioners were excluded on the ground that their earlier individual contempt petitions had been dismissed and, being no longer in service, they could not seek such relief in the contempt proceedings. Their names were deleted from the array of parties, while granting them liberty to approach the writ court for their service books in accordance with law.

6. The exclusion order led to LPA No. 670/2015. By order dated 20th October, 2015, the Division Bench set aside the exclusion and restored the present Petitioners as parties in CONT.CAS(C) 499/2014, holding that the nature of the alleged non-compliance in CONT.CAS(C) 499/2014 was distinct from what was urged in the individually filed contempt petitions.

7. CONT.CAS(C) 499/2014 was thereafter disposed of on 14th January, 2016 on terms which are significant for the present controversy. The Court required the petitioners to make a fresh representation with computation of outstanding dues claimed in terms of the order dated 18th November, 2013; required the school to consider the representation and pass a reasoned decision; and left it open to the petitioners to pursue remedies “in accordance with law”, including a fresh writ petition, in case the grievance was not redressed. The present Petitioners were also expressly permitted to demand copies of their service books as part of the said representation.

8. On 16th January, 2016, the Petitioners wrote to the school seeking photocopies of their service books to enable computation of dues. The school, by reply dated 12th February, 2016, declined supply on the premise that the Petitioners were no longer employees.

9. The Petitioners then approached this Court in W.P.(C) 2930/2016 seeking directions for supply of photocopies of their service books. On 4th April, 2016, notice was issued and the Respondents were directed to produce



records. However, on 22nd September, 2016, the Court recorded that the files had been produced and, at the Petitioners' request, dismissed the petition as withdrawn with liberty to pursue appropriate remedies before the competent forum.

10. The Petitioners assert that thereafter they addressed repeated representations and reminders to the authorities and the school between 2017 and 2025, and that even upon intervention by the “appropriate authority”, the school did not supply the service books or extend the service benefits sought. They rely upon their letter dated 4th August, 2025 and the reply dated 13th August, 2025 by which the school denied the requests. On this foundation, the present petition has been instituted.

Analysis:

11. The Court has considered the aforementioned submissions advanced by Ms. Geeta Luthra, Senior Counsel for the Petitioners and the record. The petition, in substance, invites the writ court to do three things at once: first, to treat the Petitioners' entitlement under the settlement recorded on 18th November, 2013 as a live and enforceable monetary claim after a long passage of time; second, to direct inspection and supply of service books as a step towards such computation; and third, to issue directions for release of multiple terminal and service benefits, including provident fund, gratuity and leave encashment, coupled with ancillary directions such as KYC updation.

12. The present claims require adjudication of disputed questions of fact, including the period for which each Petitioner actually worked after the 2013 settlement, the salary package actually paid, whether pay parity was maintained, the precise computation of “outstanding dues” as contemplated



by the order dated 14th January, 2016, and whether any terminal benefits are payable on the Petitioners' case, including questions of eligibility and quantification. Such disputes are ordinarily unsuitable for determination in writ jurisdiction in the first instance, particularly where the dispute has a strong factual and accounting complexion and where an appropriate forum exists for evidence-led adjudication.

13. Pertinently, the Petitioners have had the benefit of repeated judicial orders which expressly placed them on the path of appropriate substantive remedies. As noted above, in the contempt proceedings, by order dated 2nd February, 2015, this Court declined to proceed in contempt, holding that the dispute involved contested claims better suited to substantive proceedings, while preserving the Petitioners' right to seek appropriate relief. Thereafter, on 14th January, 2016, the Petitioners were channelled into a process of submitting a representation, with a direction to the school to pass a reasoned decision by the school, coupled with express liberty to pursue remedies in accordance with law if redress did not follow. When the Petitioners did file W.P.(C) 2930/2016 to secure service books, they chose to withdraw that petition on 22nd September, 2016 with liberty to approach the appropriate forum.

14. These prior proceedings are material because, after obtaining liberty in 2016 to pursue appropriate remedies before the competent forum, the Petitioners have nonetheless returned to writ jurisdiction. Once such liberty is granted and accepted, the litigant is expected to act with reasonable diligence on the remedy indicated. Repeated representations or correspondence cannot keep a cause of action perpetually alive, nor can they cure delay where the course charted by earlier judicial orders was not



pursued.

15. On the Petitioners' own showing, their employment with the school had ended years earlier, yet after withdrawing the 2016 writ with liberty to seek appropriate relief elsewhere, they have, after a prolonged lapse of time, approached this Court again, without any legally sustainable explanation for the delay. In writ jurisdiction, delay is not a mere technicality but a matter going to the Court's discretion, especially where the relief sought would require reopening financial computations and service records with significant monetary consequences. A writ court does not ordinarily entertain such claims after long dormancy, especially where the party has already been relegated to appropriate remedies and has not acted with diligence.

16. For all these reasons, the Court is not inclined to exercise writ jurisdiction in the present petition. The petition is liable to be dismissed on the ground of delay and laches, the Petitioners' failure to pursue remedies contemplated by the earlier orders, and because the nature of the relief sought requires fact-intensive adjudication before the appropriate forum rather than reopening the controversy in writ proceedings.

17. The writ petition is dismissed along with pending applications, if any.

SANJEEV NARULA, J

JANUARY 28, 2026/as