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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 607/2020, CM APPL. 72620/2024 & CM APPL.**
5474/2025

AMIT KUMAR SHARMA & ORS.Petitioners

Through: **Ms. Alankriti Dwivedi & Ms. Somesa Gupta, Advs.**

versus

MRS MADHU K GARG SECRETARY & ORS.Respondents

Through: **Ms. Avnish Ahlawat, SC for GNCTD**
with Mr. Mohnish Sehrawat, Adv.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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15.01.2026

1. This hearing has been done through hybrid mode.
2. The present petition under Sections 2(b), 11, 12 and 13 of the Contempt of Courts Act, 1971, seeks the following prayers:-

“In the facts and circumstances mentioned in above paras it is, therefore, most respectfully prayed that the Hon’ble High Court may be graciously please to initiate the contempt of court proceedings in accordance with the relevant rules and instructions on the subject with all other consequential benefits and an exemplary cost.
Any other fit and proper relief may also be granted to the petitioner.”

3. *Vide* order dated 25.04.2019 in **W.P.(C) 3526/2019**, the learned Division Bench had passed the following directions:-

“We, therefore, clarify the position and dispose of this petition with the direction that the respondents should pay to the petitioners such other allowances as are being paid to others similarly situated.”



4. During the course of the present proceedings, petitioners sought a clarification from the learned Division Bench by way of an application, **C.M. APPL. 708/2025**, in the aforesaid writ petition, and the following direction was passed on 17.01.2025: -

“2. Learned counsel for the petitioners submits that that even though the Court has taken into account the effect of the decision in W.P(C) No. 8791/2011 titled as **Govt. of NCT of Delhi & Ors. Vs. Raj Rani Chachra & Ors.**, however, the petitioners would be satisfied in case this Court were to clarify that the petitioners would be entitled to all allowances as were/are being paid to others who are similarly situated as the respondents in the aforesaid case **Raj Rani Chachra** (supra).

3. We, accordingly, dispose of the present application by making it clear that in terms of the order passed by this Court on 25.04.2019, the petitioners would be entitled to all allowances as were/are being paid to others who are similarly situated as the respondents in the aforesaid case **Raj Rani Chachra** (supra) and clarify that the same would be payable to the petitioners from the due date.”

5. Thereafter, a review petition, **REVIEW PET. 167/2025**, was preferred by the respondents and the same was disposed of *vide* judgment dated 22.08.2025 by the learned Division Bench by observing as under:-

“13. In our opinion, therefore, none of the aforesaid judgments cited by the learned counsel for the writ petitioners are applicable to the facts of the present case.

14. Keeping in view the above, to put things in clear perspective, we dispose of the present review petition by only clarifying that our Order dated 17.01.2025 has to be read in terms of the paragraph No.55 of **Jagjit Singh** (supra), as has been reproduced hereinabove, that is, the writ petitioners and other similarly situated employees shall be entitled to the minimum of Pay Scale plus DA, alongwith such other allowances as would be payable in terms of any other Office Order or Office Memorandum, if any, that has been or may be issued by the



petitioners for the contractual employees like the Writ Petitioner.”

6. It is pointed out that the petitioners have preferred a SLP against the aforesaid judgment dated 22.08.2025.
7. In view of the above, the present petition is disposed of with liberty to the petitioners to revive the same, subject to the outcome of the SLP preferred on their behalf.
8. Pending application, if any, also stands disposed of accordingly.

AMIT SHARMA, J

JANUARY 15, 2026/nk