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

+ **CONT.CAS(C) 250/2017 & CM APPL. 40273/2024**

RAJESH KUMAR

.....Petitioner

Through: Mr. C.S. Sharma, Mr. Jatin Bhardwaj,
Mr. Satvik Shukla, Advs.

versus

OMVIR SHOKIN & ANR

.....Respondents

Through: Mr. Yeeshu Jain, ASC with Ms. Jyoti
Tyagi, Ms. Vishruti Pandey, Mr.
Sachin Garg, Advs. for R-1/DOE.
Mr. Mukesh Bhardwaj, Adv. through
Vc.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **06.04.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed under Contempt of Courts Act, 1971 seeking the following prayers: -

“ It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to issue notice and punish the respondents no. 1 & 2. and direct them to comply with the W.P.(C) No. 6963/2016 order dated 10/01/2017 passed by the Hon'ble Justice Mr. Valmiki J. Mehta, Judge, Delhi High Court.

Any other order or relief which this Hon'ble Court may deem fit and proper be pleased to pass in favour of the petitioner and against the Contemnors nos. 2 & 3, in the interest and furtherance of justice.”

3. *Vide* order dated 10.01.2017 passed in W.P.(C) No. 6963/2016, learned Single Judge of this Court had passed the following directions: -



“2. Learned counsel for respondent nos. 2 and 3/school states that since no approval was given by the Director of Education to the suspension of the petitioner, and which is required under Section 8(4) of the Delhi School Education Act, 1973, suspension of the petitioner lapsed on the expiry of 15 days from 14.10.2015 i.e petitioner is no longer in suspension after 15 days from 14.10.2015.

3. In view of the above, this writ petition has become infructuous except on a limited issue that petitioner states that petitioner has not been paid suspension allowance during the period of suspension. Learned counsel for respondent nos. 2 and 3 states that if the suspension allowance has not already been paid, the same shall be paid to the petitioner within a period of four weeks from today. This is however without prejudice to any disciplinary proceedings which the respondent nos. 2 and 3 may take against the petitioner, of course in accordance with the relevant provisions, circulars, guidelines etc etc under the Delhi School Education Act and Rules, 1973.”

4. Learned counsel appearing on behalf of the respondents has handed up in the Court today a document/ mail dated 29.04.2025, which is taken on record and the same reads as under: -

“With due respect I inform you that substance allowance in r/o. Sh. Rajesh Kumar (Chownkidar) has been released and deposited in the account of concerned employee through PAO IX Old Secretariat, Delhi (copy of the bill attached).”

5. Learned counsel appearing on behalf of the petitioner fairly submits that suspension allowance has already been paid. He seeks leave to withdraw the present petition with liberty to initiate appropriate proceedings in accordance with law with respect to his grievance with regard to salary.

6. The present petition is dismissed as withdrawn and disposed of.

7. Needless to state that the petitioner will always be at a liberty to initiate appropriate proceedings as available in law.



8. Pending application(s), if any, also stand disposed of.
9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 6, 2026/kr/sg