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

+ **CONT.CAS(C) 1365/2016**

**VISHWAJYOTI**

.....Petitioner

versus

**VIRENDER KUMAR SARDANA**

.....Respondent

With

**W.P.(C) 7884/2019, W.P.(C) 5053/2020, W.P.(C) 17353/2022 &  
W.P.(C) 227/2023.**

**For Petitioners:** Ms. Asha Jain Madan and Mr. Mukesh Jain,  
Advocates in Items 22,24.  
Mr. Vikrant Vasudeva, Mr. Pratap Palliwal, Mr.  
Rohit Lochav and Mr. Arindam Gupta, Advocates  
in Items 20,21,23.

**For Respondents:** Mr. Hitendra Kr. Nahata, Advocate for Delhi Arya  
Pratinidhi Sabha in Item Nos. 20 to 24.  
Mr. Manish Gupta and Mr. Yash Tewari,  
Advocates for R-1 in Item 22.  
Mr. Yeeshu Jain, ASC for DoE with Ms. Jyoti  
Tyagi and Mr. Sachin Garg, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

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**08.01.2026**

1. An interim order was passed by this Court on 23<sup>rd</sup> December, 2024 in W.P.(C) 5053/2020 directing the Respondent school to pay the salaries and emoluments of the Petitioners within a period of six months, as an interim arrangement and without prejudice to the rights and contentions of the parties. Admittedly, the said order has not been complied with.



2. The position that emerges is that, while there is no formal order of closure, the school is practically not functioning. Such closure is contended to be illegal and in violation of the provisions of the Act and the rules framed thereunder. Counsel for the school has apprised the Court that an application seeking formal closure is pending consideration before the Directorate of Education (DoE).

3. However, the immediate issue remains the payment of salaries and emoluments due to the Petitioners. It is stated on behalf of the school that there are no assets or fund in the bank account of the school. In this backdrop, the question arises as to what assets can be proceeded against for recovery of the dues. The Petitioners contend that recovery ought to be effected from the assets of the parent society and the management committee.

4. Before issuing directions for recovery, this Court deems it appropriate to call upon the DoE to file an affidavit indicating: (i) the status of the school's application for closure; (ii) the details of the bank accounts and other assets of the school, if any; and (iii) the statutory mechanism available under the Act and the rules framed thereunder for recovery of the dues payable to the teachers.

5. Counsel for the school submits that affidavits of the Manager and the Chairman have been filed in compliance with the directions dated 25<sup>th</sup> March, 2025. However, the same do not appear to be on record. Counsel is directed to follow up with the Registry and ensure that they are placed on record.

6. On the next date of hearing, the Manager, Principal and Chairman of the school shall remain present in person before the Court.



7. List on 24<sup>th</sup> March, 2026.

**SANJEEV NARULA, J**

**JANUARY 8, 2026**

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