



2026:DHC:2697

\$~30 to 32

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

+ W.P.(C) 7884/2019 and CM APPL. Nos. 1177/2021 and
12029/2021

ANJU RANI

.....Petitioner

Through: Dr. Vikrant Narayan Vasudeva and
Mr. Rohit Lochav, Advocates

versus

DAYANAND ADARSH VIDYALAYA
AND ORS.

.....Respondents

Through: Mr. Yeeshu Jain, ASC with Ms. Jyoti
Tyagi and Mr. Hitanshu Mishra, Advocates for
Respondent/DOE.

31

+ W.P.(C) 5053/2020 and CM APPL. Nos. 18234/2020, 9904/2021,
17558/2022 and 50004/2024

DEEPA CHHIBBER & ORS.

.....Petitioners

Through: Ms. Asha Jain Madan and
Mr. Mukesh Jain, Advocates.

versus

DAYANAND ADARSH VIDYALAYA
& ORS.

.....Respondents

Through: Mr. Yeeshu Jain, ASC with Ms. Jyoti
Tyagi and Mr. Hitanshu Mishra, Advocates for
Respondent/DOE.

Ms. Ritu Jain and Ms. Sangita Bharti, Advocates
for R-2.

32

+ W.P.(C) 227/2023 and CM APPL. 21488/2023

RAM ROOP SHARMA AND ORS.

.....Petitioners

Through: Ms. Asha Jain Madan and



2026:DHC:2697

Mr. Mukesh Jain, Advocates.

versus

DAYANAND ADARSH VIDYALAYA
AND ORS.

.....Respondents

Through: Mr. Yeeshu Jain, ASC with Ms. Jyoti Tyagi and Mr. Hitanshu Mishra, Advocates for Respondent/DOE.

Ms. Ritu Jain and Ms. Sangita Bharti, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
12.11.2024

%

1. Ms. Asha Jain Madan, learned counsel for the Petitioners in W.P.(C) 5053/2020 and W.P.(C) 227/2023 submits that despite passage of almost three years from 22.12.2020 when this Court had directed the school to pay salaries and emoluments to the Petitioners, nothing has been paid on false plea that the School has been closed, which is factually incorrect. She highlights that admittedly till date Directorate of Education (DOE) has not granted approval for closure of the School and thus, Petitioners are entitled to all the benefits as they have been continuously rendering their services and in this context, relies on the judgment in ***New Delhi Municipal Council and Another v. Manju Tomar and Others, 2024 SCC OnLine SC 2272.***
2. Mr. Yeeshu Jain, learned Additional Standing Counsel appearing for the DOE fairly submits, on instructions, that DOE has till date not granted approval to the School for closure.
3. There is no representation on behalf of the School today. It is indeed a sorry state of affairs that Petitioners who have been working with the School



2026:DHC:2697

for years including during the period of Pandemic COVID-19 taking online classes, are without their salaries for the last over three years and that too despite an order of this Court passed way back on 22.12.2020. It is also pertinent to note that on 25.04.2024 Court had observed that in the absence of approval under Rule 46 of Delhi School Education Rules, 1973, the assertion that School stands closed from 01.04.2020 cannot be countenanced. Notice was issued to Respondent No.7, which is the sponsoring society running the School.

4. None is present on behalf of Respondent No.7 today and the office report indicates that the Society is unserved.
5. Issue fresh notice to Respondent No.7 through Secretary, through all permissible modes, returnable on 27.11.2024. *Dasti* in addition.
6. Matters will be taken on 27.11.2024 at 02:30 P.M.

JYOTI SINGH, J

NOVEMBER 12, 2024

mk