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

+ **CONT.CAS(C) 1069/2022**

KRITI SHARMA

..... Petitioner

Through: Mr. Rajat Aneja and Ms. Aditi
Shastri, Advs.

versus

REVEREND FATHER SAVARIRAJ

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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07.10.2022

CM APPL.43599/2022 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

CONT.CAS(C) 1069/2022

1. The present petition alleges wilful disobedience of the judgement/order dated 04.07.2022, passed by this court in W.P.(C)212/2018 read with order dated 17.11.2017, passed by the Delhi School Tribunal. The operative portion of the aforesaid order dated 17.11.2017, passed by Delhi School Tribunal is as under:

“46. In view of the above discussion this Tribunal is of considered opinion that the report of I.O. dated 09.09.2016 is not based on any legally admissible evidence and is pervert. Entire inquiry proceedings right from the issuing of charge-sheet and appointing of I.O. are illegal. In these circumstances, the impugned order of removal of the Appellant passed on the basis of the alleged pervert inquiry report dated 09.09.2016, is also illegal and arbitrary. The punishment of



removal of Appellant from the service for not signing the staff attendance register in the evening while leaving in the evening is also highly disproportionate. The appeal of the Appellant is accepted with cost and the impugned order dated 28.12.2016 is set aside. The order of removal of the Appellant from the service is absolutely illegal and arbitrary, hence, the cost is assessed at Rs.1,10,000/- to be paid by Respondent School. Respondent No.1 is directed to reinstate the Appellant within one month of passing of this order. Appellant will be entitled for full wages from the date of this order. Appellant will also be entitled all the consequential benefits.

47. With respect to the back wages, in view of Rule 121 of Delhi School Education Act and Rules 1973, the Appellant is directed to make exhaustive representation to the R-1 School within a period of 4 weeks from the date of this order, as to how in what manner the Appellant will be entitled to complete wages. The Respondent No.1 School is directed to decide the representation given by the Appellant within a weeks of receiving the same by a speaking order and to communicate the order alongwith the copy of the same to the Appellant. Order accordingly. File be consigned to record room.”

2. Learned counsel for the petitioner submits that the aforesaid directions have not been complied with and the petitioner has not been reinstated till date.
3. Issue notice to the respondent, on necessary steps being taken by the petitioner, through all permissible modes, including electronically. *Dasti* in addition.
4. In the event, the directions contained in the aforesaid order dated 17.11.2017 remain uncomplied, the respondent is directed to remain personally present in court on the next date of hearing.
5. List on 29.11.2022.

SACHIN DATTA, J

OCTOBER 7, 2022/cl