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

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

KRITI SHARMA

.....Petitioner

Through: Mr. Sanjay Vashishtha along with Mr. Siddhartha Goswami, Ms. Geetanjali Reddy and Mr. Aditya Sachdeva, Advs.

versus

REVEREND FATHER SAVARIRAJ

.....Respondent

Through: Mr. Annirudh Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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13.02.2026

1. *Vide* judgment / order dated 17.11.2017 passed by Delhi School Tribunal, Patrachar Vidyalaya Complex, Lucknow Road in Appeal No. 11/2017, it was, *inter-alia*, directed 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 and 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 directions contained in Paragraph 47 of the aforesaid judgment / order dated 17.11.2017 passed in Appeal No. 11/2017 has not been complied with, till date.
3. Vide the Impugned Order dated 04.07.2022, the aforesaid order dated 17.11.2017 was affirmed and upheld by this court.
4. By order dated 25.03.2025 passed by this Court in these proceedings, it was observed that, insofar as back wages are concerned, Rule 121 of the Delhi School Education Act and Rules, 1973 is required to be complied with. It was further noted that the concerned Committee of the School would consider the issue of back wages. However, it appears that no decision in that regard has been taken thus far.
5. At this stage, learned counsel for the respondent, who appears virtually, seeks some time to take instructions.
6. In the circumstances, re-notify on 16.03.2026.

SACHIN DATTA, J

FEBRUARY 13, 2026/r