



\$~59 to 61 and 65

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

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+ W.P.(C) 12296/2025
RUKMINI DEVI PUBLIC SCHOOLPetitioner

versus

AJAY KUMAR & ANR.Respondents

60

+ W.P.(C) 12297/2025
RUKMINI DEVI PUBLIC SCHOOLPetitioner

versus

BIJENDER & ANR.Respondents

61

+ W.P.(C) 12298/2025
RUKMINI DEVI PUBLIC SCHOOLPetitioner

versus

NARENDER KUMAR & ANR.Respondents

65

+ W.P.(C) 12323/2025
RUKMINI DEVI PUBLIC SCHOOLPetitioner

versus

GULSHAN KUMAR AND ANRRespondents

Appearances: Mr. Pramod Gupta, Ms. Deepakshi Bhalla and Mr. Himanshi, Advocates for petitioners in Item Nos. 59 to 61 and 65.
Ms. Latika Chaudhary, Advocate for R-2.



CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **14.08.2025**

CM APPL. 50107/2025 (for exemption) in W.P.(C) 12296/2025
CM APPL. 50110/2025 (for exemption) in W.P.(C) 12297/2025
CM APPL. 50112/2025 (for exemption) in W.P.(C) 12298/2025
CM APPL. 50187/2025 (for exemption) in W.P.(C) 12323/2025

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

W.P.(C) 12296/2025 and CM APPL. 50106/2025 (for interim directions)
& CM APPL. 50108/2025 (Seeking permission to bring on record additional documents)

W.P.(C) 12297/2025 and CM APPL. 50109/2025 (for interim directions)
W.P.(C) 12298/2025 and CM APPL. 50111/2025 (for interim directions)
W.P.(C) 12323/2025 and CM APPL. 50186/2025 (for interim directions)

1. Issue notice. Ms. Latika Chaudhary, learned counsel, accepts notice on behalf of the DoE. Respondent No. 1 in each of these petitions be served by all permissible modes, including through learned counsel who appeared on their behalf before the Delhi School Tribunal ["Tribunal"]. Affidavit of service be filed within one week.
2. The petitioner – Rukmini Devi Public School ["School"] assails a common judgment of the Tribunal dated 02.07.2025, by which the appeals filed by four of its employees/respondent No. 1 in each of these petitions, have been allowed. The termination of the services of the said employees has been held to be illegal, and the School has been directed to pay each of them compensation in the sum of Rs.5 lakhs.
3. The concerned employees were all bus conductors. According to the School, they were engaged on a contractual basis, and as per the terms of their contracts, their services came to an end on 31.05.2019 by efflux of



time. The employees first sought to invoke the provisions of the Industrial Disputes Act, 1947, but thereafter filed appeals before the Tribunal, which have been disposed of by the impugned judgment.

4. Mr. Pramod Gupta, learned counsel for the School, submits that the Tribunal had no jurisdiction to entertain these appeals, as the services of the concerned employees had come to an end by efflux of time, which is an exception to the jurisdiction of the Tribunal under Section 8(3) of the Delhi School Education Act, 1973. Mr. Gupta relies upon the judgment of the Supreme Court in *Shashi Gaur v. NCT of Delhi and Ors.* [(2001) 10 SCC 445], for this purpose.

5. Mr. Gupta further submits that, in the impugned judgment, the Tribunal has ignored subsisting judgments of the Supreme Court and this Court, and has instead proceeded *inter alia* on the basis of judgments which has been overruled or set aside. He specifically draws my attention to the following paragraphs of the impugned judgment:

- a) In paragraph 37, the Tribunal relies upon the judgment of this Court in *Meena Oberoi v. Cambridge Foundation and Ors.* [W.P.(C) 1363/2013, decided on 05.12.2019], whereas the said judgment was stayed by order of the Division Bench dated 13.01.2020 in *Cambridge Foundation School and Anr. v. Lt. Governor NCT of Delhi and Ors.* [LPA 11/2020]. Mr. Gupta submits that the stay has been continued until disposal of the appeal by a further order dated 13.05.2024, and that the appeal remains pending before this Court.
- b) Mr. Gupta also draws my attention to paragraph 39, in which reference is made to the judgment of this Court in *Reshmawati v. The Managing Committee and Ors.* The extracts of the said judgment



quoted in the impugned judgment show that the Tribunal relied upon the judgment of the learned Single Judge dated 01.07.2019 in W.P.(C) 11565/2015 [reported as 2019 SCC OnLine Del 8985]. Mr. Gupta has placed on record the judgment of the Division Bench in *Red Roses Public School v. Reshmawati and Ors.* [LPA 516/2019, decided on 15.10.2019], whereby the said judgment was set aside. SLP (C) 3375/2020, filed against the said judgment of the Division Bench, was also dismissed by the Supreme Court *vide* order dated 11.02.2025.

6. The aforesaid submissions are sufficient to demonstrate a *prima facie* case in favour of the School. The impugned judgment of the Tribunal will, therefore, remain stayed, subject to the School depositing 50% of the awarded amount with the Registrar General of this Court, within a period of six weeks from today. The amount be kept in a fixed deposit, subject to further orders.
7. Counter affidavits be filed within four weeks. Rejoinders thereto, if any, be filed within two weeks thereafter.
8. List before the learned Registrar on 14.10.2025 for completion of service and pleadings.
9. List before the Court on 16.01.2026.

PRATEEK JALAN, J

AUGUST 14, 2025/UK/KA/