


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6284/2026

Management Committee, Mahila Ashram Senior Secondary School, Bhilwara, Rajasthan Through Its Secretary Vandana Mathur W/o Shri V.P. Mathur Aged About 72 Years.

-----Petitioner

Versus

1. Smt. Sadhna Saraswat W/o Shri Umesh Chand Shukla, Aged About 55 Years, R/o 6-G, R.C. Vyas Colony, Bhilwara, Rajasthan.
2. Director, Secondary Education, Bikaner, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Ankit Sethi

For Respondent(s) : --

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

09/04/2026

1. Heard on the interim stay application.
2. The present proceedings are arising out of an execution petition filed before the Executing Court i.e. Civil Court, executing the order of the Tribunal which has merged with the order dated 13.07.2016 passed by this Court in ***S.B. Civil Writ Petition No.13788/2015*** and a batch of writ petitions.
3. The contentions of learned counsel appearing on behalf of the petitioner is that the respondents herein, who are the petitioners in the execution petition, have filed a claim before the Tribunal constituted under the Rajasthan Non-Government Educational Institutions Act & Rules, 1989 (hereinafter referred to as 'the Act of 1989') and seeking various reliefs including relief of

payment of salary, leave encashment and gratuity amount with interest, and the Tribunal has granted interest at the rate of 6% per annum on such amount. The petitioner now approached before this Court by filing various writ petitions. All the said writ petitions have been disposed of by giving the following directions:

"(1) The petition institution will draw a statement of account showing as to what amount is payable to the employees on account of direction given by the Tribunal.

(2) Further statement of account would be submitted by the petitioner institution showing that out of due amount to the employees, how much amount has been paid by them against their own share to the extent of 10 percent and, if payment has been made against the share towards grant-in-aid then to indicate to claim reimbursement. It would obviously be with the supporting documents regarding payment to the employees for claim of reimbursement to the extent of grant-in-aid.

(3) On receipt of statement of account, as directed above, the State Government would make scrutiny and verification of the statement and, for which, they would be at liberty to make inspection of the account of the petitioner institution or to call for the information, if it needed for support of the statements. On getting verification of account, as stated above, the State Government would reimburse the due amount to the extent of grant-in-aid.

(4) The reimbursement of amount would be made in two different phases. In first phase, the reimbursement would be made to the institution to the extent it is due in their favour on account of payment of due amount to the employees out of the share of grant-in-aid. In second phase, which would be simultaneous to the first phase, the payment would be made directly to the employees, involved in these writ petitions, to the extent of share of grant-in-aid admissible to them. If, over and above share

of grant-in-aid, anything remains payable to the employees, more specifically, against share of the institution, it would be paid by the institution itself.

(5) The exercise aforesaid would be completed within a period of four months from the date of receipt of copy of this order in the following manner:

(i) The statement of account, as directed in para 1 and 2, would be submitted by the petitioner institution along with supporting documents within a period of one month from today.

(ii) On getting statement of account, as directed above, the State Government would make verification of statement of account within a period of two months from the date of its receipt.

(iii) On verification of account, payment would be released in favour of the institution/employees, as directed above, within a period of one month thereupon.

(7) The directions of aforesaid have been given on agreed terms and otherwise, it is in light of the judgment of Division Bench in case of Management Committee, Sh. Bhagwan Das Todi College (supra)."

4. The executing petitioners have also moved contempt proceedings before this Court seeking compliance of the orders in the batch of writ petitions, and in pursuance of contempt proceedings, the amount was also paid and the contempt proceedings were closed, and simultaneously, the petitioners have sought an execution of the award of the Tribunal.

5. Learned counsel appearing on behalf of the petitioner further submits that the execution petition have been made only in respect of the interest part for the delayed payment of the share of the Government, and that liability was fixed on the petitioner, though his part of share was already paid as and when the due occurred.

6. Considering the aforesaid contentions, there shall be a stay of further proceedings before the Executing Court subject to the petitioner depositing Rs.50,000/- before the concerned Executing Court within a period of one month from the date of receipt of a copy of this order.
7. Issue notice to the respondents, returnable within a period of four weeks.
8. Post the matter on **11.05.2026**.

(MUNNURI LAXMAN),J

17-PoonamS/-