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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6665/2020**

ANURAG MISHRA & ORS. Petitioners

Through: Mr. M. Dutta, Mr. Pawan Kumar
Chaturvedi & Mr. Aditya Guha,
Advocates with P-1 in person

versus

DEEN DAYAL UPADHYAYA COLLEGE & ORS.

..... Respondents

Through: Ms. Beenashaw Soni, Advocate for
R-1.
Mr. Jawahar Raja, ASC(C) GNCTD
with Mr. Archit Krishna, Advocate
Mr. M.J.S. Rupal & Mr. Hardik
Rupal, Advocates for DU.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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18.09.2020

Hearing has been conducted through Video Conferencing.

Petitioners in the present petition are Associate Professors and Professors working in Deen Dayal Upadhyaya College, which is a constituent College of the University of Delhi receiving 100% grant-in-aid from the Government of NCT of Delhi.

The principal contention of the Petitioners in the present petition is that their salaries, including medical bills and other retiral benefits wherever due have not been disbursed since the month of May, 2020.

Ms. Beenashaw Soni learned counsel appearing for the College submits that the College receives 100% grant-in-aid from the Government of

NCT of Delhi and since the funds have not been released, the College is unable to pay not only the Petitioners herein but other employees of the College as well.

Mr. Jawahar Raja learned Additional Standing Counsel appearing for the Government of NCT of Delhi submits that there is no doubt that the College receives 100% grant-in-aid from the Government of NCT of Delhi. He further submits that as far as the Government of NCT of Delhi is concerned, Special Audit for the College is underway at present. He submits that, *prima facie*, it has been observed that the fee of the students is being diverted into a Student Society Fund and that the College has substantial resources to meet the expenses of the College, including the salary and emoluments of the teachers as well as non-teaching staff. Grant-in-aid, he submits, is based on a Net Deficit basis which depends on the revenue minus net expenses incurred by the College and that the College at present in the Special Audit is resisting disclosing all its assets and other resources. He submits that a written communication in this regard has also been sent to the College and on receipt of the necessary information, requisite action will be taken. He seeks a period of two weeks to inform the Court of the outcome of the said proceedings.

Ms. Soni, however, vehemently opposes and rebuts the submissions made by Mr. Raja and submits that the Students' Fund is not meant for disbursement of the emoluments of the staff and the emoluments have to be paid only from the grant-in-aid received from the Government of NCT of Delhi. She also submits that the Management of the College is cooperating in the Special Audit being conducted by the Government of NCT of Delhi.

Contentions made by the College and the Government of NCT of Delhi only *prima facie* give an impression to the Court that both the Authorities are blaming each other, instead of ensuring that the salary and the other benefits of the employees are released on time. The net result, however, of this blame game is that the Petitioners have been deprived of not only their salary and other emoluments with effect from May 2020 but also other essentials such as reimbursement of medical bills, etc.

In my view, this is a serious matter and needs to be looked into by the Govt. of NCT of Delhi as well as the College without any delay and on priority.

List for further consideration on 6th October, 2020.

JYOTI SINGH, J

SEPTEMBER 18, 2020

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