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

Date of Decision: 27th July, 2026

+ CONT.CAS(C) 1619/2024

DR SHABANA PRAVEEN

.....Petitioner

Through: Mr. Yogesh Kumar Mahur, Mr.
Harkesh Parashar, Ms. Yogita and
Mr. Suryanarayanan, Advocates
Mob: 8307230126

versus

SHRI RAJESH KOTECHA & ANR.

.....Respondents

Through: Mr. Bhagvan Swarup Shukla, CGSC
with Ms. Jyoti Yadav, Ms.
Shreyamishra, Ms. Garima Mehta,
Mr. Aman Kumar Shukla and Mr.
Mukesh Kumar Pandey, Advocates
for UOI
Mob: 9910483635
SI Ombir, PS Malviya Nagar
Mob: 8571036388

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+ CONT.CAS(C) 1620/2024

SALMA KHATOON

.....Petitioner

Through: Mr. Yogesh Kumar Mahur, Mr.
Harkesh Parashar, Ms. Yogita and
Mr. Suryanarayanan, Advocates
Mob: 8307230126

versus

SHRI RAJESH KOTECHA & ANR.

.....Respondents

Through: Mr. Premtosh K. Mishra, CGSC with
Mr. Anubhav Upadhyay, Ms. Garima
Mehta and Mr. Aman Kumar Shukla,
Advocates
Mob: 98184727744



SI Ombir, PS Malviya Nagar
Mob: 8571036388

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA
MINI PUSHKARNA, J (ORAL):

1. The present petitions have been filed alleging wilful and deliberate disobedience of two orders, both dated 27th May, 2024, passed by the Division Bench of this Court in *W.P.(C) 9584/2018* and *W.P.(C) 9554/2018*.
2. *Vide* order dated 27th May, 2024, passed in *W.P.(C) 9584/2018*, it had been directed as follows:

“1. The present writ petition under Articles 226 and 227 of the Constitution of India seeks to assail the order dated 21.08.2018 passed by the learned Central Administrative Tribunal (the Tribunal) in O.A. No. 2828/2018. Vide the impugned order, the learned Tribunal has dismissed the Original Application filed by the petitioner wherein she had sought quashing of the order dated 22.01.2018 issued by the respondent no. 3 and had prayed that she be permitted to continue in service till the age of 65 years.

*2. Both sides submit that the issue raised in the present petition stands decided against the petitioner by way of the decision dated 16.08.2023 in Civil Appeal no. 3339 of 2023 titled **Central Counsel for Research in Ayurvedic Science and Anr vs. Bikartan Das & ors.** Learned counsel for the petitioner however submits that irrespective of the dismissal of the present petition the petitioner is entitled to receive salary for the period between 24.01.2018 till 01.06.2020, during which period she had rendered service beyond the age of 60 years on account of the interim order passed by this Court.*

3. Learned counsel for the petitioner submits that while issuing notice in the O.A., the Tribunal had vide its interim order dated 24.01.2018, permitted the petitioner to render services for which she was paid due wages. However after the O.A. was dismissed, the petitioner approached this Court by way of the present petition, wherein this Court, while issuing notice, had



vide its interim order dated 12.09.2018, directed the respondents to render services albeit without wages. This interim order was assailed by the respondents before the Apex Court by way of a Special Leave Petition, which came to be allowed vide order dated 01.06.2020 passed in Civil Appeal No. 2476/2020.

4. However, even though the interim order passed by this Court on 12.09.2018 was vacated by the Apex Court, it was simultaneously directed that at the time of final adjudication of the present petition, this Court will verify the extent to which the writ petitioner had actually rendered service in pursuance of the interim order dated 12.09.2018. It was further directed that in the event she was found to have actually worked beyond the age of 60 years, she would be entitled to salary for the said period, where she had rendered service pursuant to the interim orders passed by this Court.

5. Learned Counsel for the respondent is not in a position to deny that in terms of the order dated 01.06.2020, the petitioner is required to be paid salary for the period she rendered service in terms of this Court's interim order dated 12.09.2018. They, however, pray that the task of verifying the petitioner's service record be left to the respondent.

6. In the light of the aforesaid stand taken by the parties, while we dismiss the writ petition along with all pending applications, in accordance with the directions issued by the Apex Court, we direct the respondent no.3 to release the salary of the petitioner for the period between 24.01.2018 till 01.06.2020, subject to verification of her service record, including the attendance register. Payment in terms of this order will be made to the petitioner within four weeks."

3. Similarly, *vide* order dated 27th May, 2024 passed in *W.P.(C)* 9554/2018, it had been directed as follows:

"1. The present writ petition under Articles 226 and 227 of the Constitution of India seeks to assail the order dated 21.08.2018 passed by the learned Central Administrative Tribunal (the Tribunal) in O.A. No.335/2018. Vide the impugned order, the learned Tribunal has dismissed the Original Application filed by the petitioner wherein she had sought quashing of the order



dated 17.01.2018 issued by the respondent no. 3 and had prayed that she be permitted to continue in service till the age of 65 years.

*2. Both sides submit that the issue raised in the present petition stands decided against the petitioner by way of the decision dated 16.08.2023 in Civil Appeal no. 3339 of 2023 titled **Central Counsel for Research in Ayurvedic Science and Anr vs. Bikartan Das & ors.** Learned counsel for the petitioner however submits that irrespective of the dismissal of the present petition the petitioner is entitled to receive salary for the period between 12.09.2018 to 01.06.2020, during which period she had rendered service beyond the age of 60 years on account of the interim order passed by this Court.*

3. Learned counsel for the petitioner submits that while issuing notice in the present petition, this Court had vide its interim order dated 12.09.2018, permitted the petitioner to continue to render service albeit without any salary. This interim order was assailed by the respondents before the Apex Court, which appeal came to be allowed vide order dated 01.06.2020 passed in Civil Appeal No. 2476/2020. However, while vacating this Court's interim order dated 12.09.2018, the Apex Court directed that the petitioner be paid salary for the period during which she had rendered service pursuant to the said interim order. Consequently, it was directed that in the event, the petitioner was found to have actually worked beyond the age of sixty years, she would be entitled to salary for the period she had rendered service pursuant to the order passed by this Court.

4. Learned Counsel for the respondent is not in a position to deny that in terms of the order dated 01.06.2020, the petitioner is required to be paid salary for the period she rendered service in terms of this Court's interim order dated 12.09.2018. They, however, pray that the task of verifying the petitioner's service record be left to the respondent.

5. In the light of the aforesaid stand taken by the parties, while we dismiss the writ petition along with all pending applications, in accordance with the directions issued by the Apex Court, we direct the respondent no.3 to release the salary of the petitioner for the period between 12.09.2018 to 01.06.2020, subject to verification of her service record, including the attendance register. Payment in terms of this order will be made to the



petitioner within four weeks.”

4. Additional Compliance Affidavits have been filed on behalf of the respondents, wherein, in *CONT.CAS(C) 1619/2024*, it has been stated as follows:

“xxx xxx xxx

4. That in compliance with the order dated 27.05.2024 passed by the Hon'ble High Court of Delhi, the respondents filed a compliance affidavit dated 27.01.2025 having diary number 596106/2025 in which all the emoluments have been paid as per the regulation for remuneration in the case of contract appointment of retired Central Government Employees vide Ministry of Finance (DoE) OM No. 3-25/2020-E.IIIA dated 09.12.2020 and OM No. 3-25/2020-E.III(A)/Pt. dated 18.10.2023 @ last pay drawn (Rs. 2,05,680/- per month, comprising Basic Pay of Rs. 1,65,400/- p.m. + NPA of Rs. 33,080/- p.m. + TA of Rs. 7,200/- p.m.) minus pension already paid (being 50% of the last Basic Pay and NPA drawn, i.e., Rs. 1,65,400/- ÷ 2 + Rs. 33,080/- ÷ 2 = Rs. 99,240/- p.m.), thereby calculating the payable amount Rs. 45,31,816/- minus Rs. 21,86,588/-, amounting to Rs. 23,45,228/-.



After statutory deductions, the net payable amount comes to Rs. 21,10,705/- for the period from 01.08.2018 to 01.06.2020 (**Copy enclosed as ANNEXURE CP-R3-2A(Colly)**), which has been paid to the Petitioner herein, Dr. Shabana Praveen after her retirement dated 31.07.2018, in terms of Ministry of Finance (DoE) OM No. 3-25/2020-E.IIIA dated 09.12.2020 read with OM dated 18.10.2023 (**Copy enclosed as ANNEXURE CP-R3-3A(Colly)**), after due verification of service records and admissibility of claims.

xxx xxx xxx



6. That, in faithful compliance with the aforesaid order dated 14.05.2025, the respondent undertook a fresh examination and recalculation of the petitioner's salary and admissible allowances for the relevant period. Upon

such re-examination, the components payable for the period from **01.08.2018 to 01.06.2020** were computed as follows:

- Dearness Allowance (DA): **Rs. 6,04,510/-**
- House Rent Allowance (HRA): **Rs. 8,74,635/-**
- Dearness Allowance on Transport Allowance (DA on TA): **Rs. 21,929/-.**

7. That the aggregate amount payable towards the aforesaid components works out to **Rs. 15,01,174/-**, which has been calculated strictly in accordance with the directions contained in the order dated 14.05.2025 passed by this Hon'ble Court, and the same has been released on **07.07.2026 (Copy enclosed as ANNEXURE CP-R3-5A).**

xxx xxx xxx ”

5. The Additional Compliance Affidavit in *CONT.CAS(C) 1620/2024* reads as under:



“xxx xxx xxx

4. That in compliance with the order dated 27.04.2024 and 05.08.2024 passed by the Hon’ble High Court of Delhi, the respondents filed a compliance affidavit dated 27.01.2025 having diary number 596146/2025 in which all the emoluments have been paid as per the regulation for remuneration in the case of contract appointment of retired Central Government Employees vide Ministry of Finance (DoE) OM No. 3-25/2020-E.IIIA dated 09.12.2020 and OM No. 3-25/2020-E.III(A)/Pt. dated 18.10.2023 @ last pay drawn (Rs. 2,52,458/- per month, comprising Basic Pay of Rs. 1,60,600/- p.m. + NPA of Rs. 32,120/- p.m. + TA of Rs. 7,200/- p.m.) minus pension already paid (being 50% of the last Basic Pay and NPA drawn, i.e., Rs. 1,60,600/- ÷ 2 + Rs. 32,120/- ÷ 2 = Rs. 96,360/- p.m.), thereby calculating the payable amount as Rs. 56,04,424/- minus Rs. 27,01,292/-, amounting to Rs. 29,03,132/-. After statutory deductions, the net payable amount comes to Rs. 26,12,819/- for the period from 01.08.2018 to 01.06.2020 (**Copy enclosed as ANNEXURE CP-R3-2A(Colly)**), which has been paid to the petitioner herein, Dr. Salma Khatoon, in terms of Ministry of Finance (DoE) OM No. 3-25/2020-E.IIIA dated 09.12.2020 read with OM dated 18.10.2023 (**Copy enclosed as ANNEXURE CP-R3-3A(Colly)**), after due verification of service records and admissibility of claims.

xxx xxx xxx

6. That, in faithful compliance with the aforesaid order dated 14.05.2025, the respondent undertook a fresh examination and recalculation of the petitioner’s salary and admissible allowances for the relevant period. Upon such re-examination, the components payable for the period from **01.08.2018 to 01.06.2020** were computed as follows:

- Dearness Allowance (DA): **Rs. 6,71,750/-**
- House Rent Allowance (HRA): **Rs. 10,80,517/-**
- Dearness Allowance on Transport Allowance (DA on TA): **Rs. 25,097/-.**



7. That the aggregate amount payable towards the aforesaid components works out to Rs. 17,77,364/-, which has been calculated strictly in accordance with the directions contained in the order dated 14.05.2026 passed by this Hon'ble Court. And the same has been released on 07.07.2026 (Copy enclosed as ANNEXURE CP-R3-5A).

xxx xxx xxx”

6. At this stage, learned counsel appearing for the petitioners submits that the aforesaid amounts were required to be paid by the respondents to the petitioners, within a period of four weeks from the date of the subject order, i.e., 27th May, 2026, however, the same has not been done.
7. In response, learned counsel appearing for the respondents submits that besides the salary, they have also released the Dearness Allowance (“DA”) as well as House Rent Allowance (“HRA”), to the petitioners.
8. However, it is to be noted that the aforesaid allowances are components of salary.
9. Learned counsel appearing for the petitioners claims interest on the basis of earlier order dated 09th October, 2024, passed by this Court in *CONT.CAS(C) 1620/2024*.
10. It is to be noted that though the orders of which compliance is sought are dated 27th May, 2024, however, the requisite amounts in terms of the said orders, have only been released to the petitioners in the month of July, 2026.
11. Accordingly, the respondents are held entitled to interest at the rate of 6% per annum payable with effect from November, 2024, till the date of the release of the payment.
12. Let the interest component be released to the petitioners, within a



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period of 8 weeks, from today.

13. With the aforesaid directions, the present petitions are accordingly disposed of.

JULY 27, 2026/ak

MINI PUSHKARNA, J