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

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Date of Decision : 18.09.2026# **CNR No. DLHC010027792026**

+ LPA 38/2026

IDBI BANK LTD

.....Appellant

Through: Mr. Krishan Kumar, Mr. Nitin and
Ms. Priya Pathak, Advocates.

versus

SHARANJEET KAUR

.....Respondent

Through: Respondent-in-person
(Through V.C.).**CORAM:****HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE TEJAS KARIA****TEJAS KARIA, J. (ORAL)****CM APPL. 64005/2026 (Clarification)**

1. The present Application has been filed by the Respondent seeking a clarification of the Judgment dated 24.08.2026 (“**Judgment**”) rendered by this Court in the present Appeal, with respect to the scope and effect of the expression ‘save and except imposition of the costs’ appearing in Paragraph No. 61 of the Judgment.

2. The Respondent, appearing in person, submitted that, by the Judgment, the Appeal preferred by the Appellant Bank was dismissed and the directions issued by the learned Single Judge were upheld with certain clarifications, save and except the costs imposed by the learned Single Judge in Paragraph No. 61 of the Judgement, which reads as follows:



“61. Accordingly, we uphold the directions issued in the Impugned Judgment, save and except imposition of the costs and clarify that the Service Rules are not subordinate to the POSH Act provided that any action taken under the Service Rules during the pendency of proceedings arising under the POSH Act must be bona fide, independently justified, and unconnected with such proceedings, and cannot be retaliatory or punitive in nature. In the facts and circumstances of the present case, the Appellant was not justified in treating the Respondent’s absence from service as deemed voluntary cessation during the pendency of proceedings arising out of the POSH Complaint, since such absence appears to be directly and inextricably connected with the said proceedings.”

3. The Respondent submitted that Paragraph No. 78 of the judgment dated 17.12.2025 rendered by the learned Single Judge did not impose any separate or standalone costs and the direction was for payment of compensation in the sum of ₹5,00,000/-, inclusive of litigation expenses. Relevant extract of Paragraph No. 78 of the judgment rendered by the learned Single Judge reads as follows:

“d) As regards the claim for compensation, in view of the overall conspectus, particularly the protraction of the proceedings under the POSH Act, it is directed that the petitioner shall be paid an amount of Rs.5,00,000/- (which shall be deemed to include litigation expenses) by the respondent.”

4. Accordingly, the Respondent has sought clarification as to the scope and effect of the waiver of costs referred to in Paragraph No. 61 of the Judgment, specifically whether the said direction was intended to waive only any standalone costs imposed by the learned Single Judge or also the direction awarding compensation in the sum of ₹5,00,000/-.

5. Having regard to the averments made in the Application and the submissions advanced by the Respondent appearing in person, we are of the considered view that the judgment rendered by the learned Single Judge did



not award any separate or standalone costs, apart from directing the Appellant to pay a sum of ₹5,00,000/-, inclusive of litigation expenses, to the Respondent. Accordingly, the sum of ₹5,00,000/- awarded by the learned Single Judge is in the nature of ‘costs’ and not ‘compensation’.

6. Consequently, there is no ambiguity in the expression ‘costs’ in Paragraph No. 61 of the Judgment. The preceding Paragraph No. 60 clearly sets out the reasons for waiving the costs imposed by the learned Single Judge, namely, that the Appellant had been directed to pay full back wages to the Respondent. Paragraph No. 60 of the Judgement reads as follows:

“60. In view of the foregoing discussion, we find no infirmity in the conclusions arrived at by learned Single Judge in the Impugned Judgment. However, having regard to the fact that the Impugned Judgment has directed payment of full back wages to the Respondent, we deem it appropriate to waive the costs imposed by learned Single Judge.”

7. In view of the above, the scope and effect of the waiver of costs referred to in Paragraph Nos. 60 and 61 of the Judgment are unambiguous and warrant no clarification, as the waiver pertains to the sum of ₹5,00,000/- awarded to the Respondent since no other separate or standalone costs had been imposed by the learned Single Judge. Accordingly, the present Application stands dismissed.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

SEPTEMBER 18, 2026

N/ gsr