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

+ W.P.(C) 633/2023

**DELHI WAQF BOARD EMPLOYEES ASSOCIATION
& ANR.** Petitioners

Through: Mr. M. Sufian Siddiqui,
Mr. Rakesh Bhugra, Mr. Kumar Satish Shah
and Ms. Alya Veronica, Advocates.

versus

**CHIEF EXECUTIVE OFFICER DELHI WAQF BOARD
& ORS.** Respondents

Through: Mr. Tushar Sannu and
Mr. Azad Bansala, Advocates for R-1 with
Md. Tariq, Cashier and Mr. Abid Ali, LDC.
Mr. Yeeshu Jain, Additional Standing
Counsel with Ms. Jyoti Tyagi and
Ms. Manisha, Advocates for R-2.
Ms. Natasha Maheshwari Advocate for mr.
Shadan Farasat, ASC, GNCTD.
Mr. Wazeeh Shafiq, Standing Counsel with
Ms. Ramsha Shan, Advocate for R-3.

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

ORDER

% **01.06.2023**

C.M. APPL. 31107/2023 (for compliance)

1. This is an application preferred on behalf of the Petitioners alleging non-compliance of the order dated 27.03.2023 passed by this Court, wherein the Court had directed the Respondents to ensure that all outstanding dues of the employees who are members of Petitioner No. 1 as well as of Petitioner No. 2 are released within two weeks from the date of passing of the order, failing which Court would be constrained to pass adverse orders.

2. Present writ petition depicts a very sorry state of affairs inasmuch as admittedly the employees of the Delhi Waqf Board have

not received their salaries for nearly nine months as of today. The order passed on 27.03.2023 reads as follows:-

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3. Present writ petition has been filed by the Petitioners herein, where Petitioner No. 1 is the Union of employees and Petitioner No. 2 is the employee of the Delhi Waqf Board/Respondent No. 3.

The grievance ventilated in the writ petition is that they have not been paid salary and other allowances for over 6 months.

4. Counter affidavit has been filed by Respondent No. 1, however, no counter affidavit is filed by Respondent No. 3/Delhi Waqf Board. Reading of the counter affidavit filed by Respondent No. 1 shows that there are inter se disputes between Respondent No. 1 and Respondent No. 3 and the only endeavour seems to be made is to pass the blame on each other for non-payment of the dues of the Petitioners, who have not received their emoluments for over six months now.

5. In these circumstances, it is directed that the Respondents shall ensure that all outstanding dues of the employees who are members of Petitioner No. 1 as well as Petitioner No. 2 herein, are positively released within two weeks from today, failing which this Court will be constrained to pass adverse orders on the next date.

6. List on 18.04.2023.”

3. Even today the usual and casual response of the Respondents is that the matter is under consideration as also that there is deficiency of funds. It appears that the Respondents are totally insensitive to the plight of the employees who are without their salaries and it needs no emphasis that they are finding it difficult to make two ends meet and fend for themselves and their families. *Prima facie* this Court is of the view that Respondents have scant regard even for the orders passed by this Court since despite an assurance given on the last date of hearing that the dues will be cleared within two weeks even today there is no certainty as to when the Petitioners will receive their salaries.

4. In this view of the matter, this Court deems it appropriate to direct Md. Rehan Raza, Chief Executive Officer/Respondent No. 1 to remain present in Court on the next date of hearing i.e. 11.07.2023 at 02.30PM, to explain the alleged non-compliance of the orders passed by this Court and non-performance of the statutory

obligations of the Delhi Waqf Board to pay salaries and allowances to its employees.

5. List the application on 11.07.2023 along with the writ petition.

JYOTI SINGH, J

JUNE 01, 2023/shivam