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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1287/2015

SHASHI BALA VERMA

..... Petitioner

Through Mr. S.C. Verma, Advocate

versus

SECRETARY (EDUCATION), GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through Mr. Santosh Kumar Tripathi, Addl.
Standing Counsel for respondent Nos.
1 to 4.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

02.07.2015

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This is a petition filed by the petitioner seeking following reliefs:-

- a. To Issue a writ or direction in the nature of mandamus to declare the inaction of the respondent's department, that is of not performing their duty and not allowing the justified and lawful entitlement of the Petitioner as being arbitrary, malafide, discriminatory and illegal;
- b. To direct the respondents to perform their duty by granting forthwith the ACP & MACP Pay Scale to the Petitioner as admissible and to fix the Pay of the Petitioner in the revised Pay Scales accordingly.
- c. To direct the Respondents to pay arrears of Pay, difference of commuted value of Pension, leave encashment, Gratuity and arrears of difference in pension etc. becoming due, due to revision in her pay and to pay corresponding revised Pension as would be entitled to the Petitioner along with interest @ 18% p.a. from the date due till the same are paid.
- d. Allow the cost of this Petition to the Petitioner as deemed fit.

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It is the case of the petitioner that due to her personal and family reasons, she had taken voluntarily retirement in the month of December 15, 2011.

Learned counsel for the petitioner has drawn my attention to page no. 162 which is a response dated November 22, 2013 given by the School in which the petitioner was working as Vice Principal, on an application submitted by the petitioner, under RTI, wherein, the School has stated that the petitioner is entitled to ACP w.e.f. December 7th, 2002; MACP w.e.f. September 1st, 2008. It is also stated that the matter is under process with the department. No counter affidavit has been filed by the respondents.

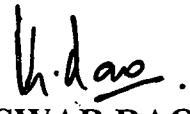
The learned counsel appearing for the respondent Nos. 1 to 4 states that the decision in regard to the grant of ACP/MACP to the petitioner would be taken within two weeks. On such a statement, this petition does not require any further consideration.

It is made clear that the respondent Nos. 1 to 4, who are seized of the matter shall take a decision within two weeks from today and intimation in that regard be given to the petitioner within one week thereafter.

The petition is disposed of.

JULY 02, 2015

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V. KAMESWAR RAO, J