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

+ **W.P.(C) 8541/2014**

RANI & ORS. Petitioners

Through: **Mr. Bharat Bhushan Bhatia, Adv.**

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents

Through: **Mr. Mukesh Kuma Singh, Adv. for R-1.**
Mr. Parvinder Chauhan, Adv. for NDMC.
Mr. Jayendra, Adv. for R-5.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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11.05.2016

1. The petitioners have restricted their prayer to the relief granted in WP(C) No.13296/2009 titled ***Durraj Fatima Naqvi and Ors. vs. Govt. of NCT of Delhi and Ors.*** vide judgment dated 17.9.2010. The relevant operative portion of this order reads:

“17. We dispose of the writ petitions issuing a mandamus to the respondents to release the salary due and payable to the petitioners with reference to the mandate of Rule 101 of the Delhi School Education Rules, 1973 and as explained by us herein above. Noting that the petitioners raise the claim when they filed writ petitions in this Court in the year 2000 which were transferred for adjudication to the Tribunal, we direct that arrears would be paid with effect from 1.1.2000 and the same would be calculated by determining the wages payable as per Rule 101 of the Delhi School Education

Rules 1973 with reference to the pay scales applicable to the regularly appointed teachers and the entitlement of the petitioners would be 50% of the wages payable. Since the Director of Education is charged with the statutory duty of ensuring compliance with the provisions of the Delhi School Education Rules 1973 and the rules framed there-under our mandamus is directed to the Director of Education to ensure compliance not only pertaining to the Government Schools directly under his control but even the Municipal Schools.”

2. It is accepted that the petitioners herein are identically placed. ***Durraj Fatima Naqvi (supra)*** was filed by part-time Urdu teachers and the present petition is by part-time Punjabi teachers. Part-time Sanskrit teachers have been also granted relief.
3. Counsel appearing for the Government of NCT of Delhi has stated that this is factually correct and a note for identical relief has been put up and is pending consideration before the Cabinet of the Government of NCT of Delhi.
4. As there is no dispute that the petitioners herein are identically and similarly placed as petitioners in ***Durraj Fatima Naqvi (supra)***, we are inclined to dispose of the writ petition with the same directions as were issued in the said case. The claim of the petitioners would be examined by the Director of Education who has the statutory duty to ensure compliance with the provisions of Delhi School Education Rules, 1973. The aforequoted paragraph and directions given therein would equally apply in the case of the petitioners and necessary compliance will be made by the respondents.
5. With the aforesaid direction, the present writ petition is

disposed of.

SANJIV KHANNA, J

NAJMI WAZIRI, J

MAY 11, 2016/ak