

\$~6

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 3243/2017

PRABIR KUMAR SAHA

..... Petitioner

Through: Mr. K. Venkataraman and Mr. Niloy
Dasgupta, Advs.

versus

DIRECTOR OF EDUCATION (GOVT. OF NCT DELHI)
& ANR

..... Respondents

Through: Mr. Anuj Aggarwal, ASC for
GNCTD with Ms. Deboshree
Mukherjee, Adv. for R2.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

%

17.04.2017

The present petition has been filed by the petitioner with the following prayers:-

In view of the aforesaid facts and circumstances of the case, it is, most respectfully that this Hon'ble Court may graciously be pleased to:

- a) Pass appropriate writ in the nature of writ or mandamus or order directing the respondents to release the due and payable amount of arrears to the petitioner as detailed in Annexure P-11 forthwith which is withheld inappropriately by the respondents;*
- b) Pass any such other order / directions as this Hon'ble Court may deem just, fit and proper in the interest of justice."*

It is the submission of Mr. K. Venkataraman, learned counsel for the petitioner that the cause of action to file the petition has arisen only on 8th April, 2010 when all the proceedings initiated against the petitioner have been dropped, inasmuch as the period between the period 1st March, 2004 to 14th December, 2004 was treated as dies-non. Even if this period is excluded, the petitioner is entitled to MACP w.e.f, June, 2006. Unfortunately, the representations have not been replied to.

Mr. Anuj Aggarwal, learned Standing Counsel appearing for the respondent no.1 on advance notice states that the representation dated 17th May, 2016 made by the petitioner shall be considered and disposed of within 8 weeks from today. The said statement is taken on record. If the petitioner is still aggrieved, he shall be at liberty to seek appropriate remedy in accordance with law.

The writ petition is disposed of.

Dasti.

V. KAMESWAR RAO, J

APRIL 17, 2017/jg