

\$~10

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

+ **W.P.(C) 6206/2017 & CM 25796/2017**

SHALU SHARMA Petitioner

Through: Ms. Padma Kumar S., Advocate

versus

G N C T DELHI AND ORS Respondents

Through: Mr. Sanjay Ghose, ASC with Ms.
Urvi Mohan and Mr. Shwetank Singh,
Advocates for respondents No.1 to 3
Mr. Parvinder Chauhan and Mr. Nitin Jain,
Advocates for respondents No.4 & 5

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

07.05.2018

%

By way of this writ petition, restoration of pay of ₹17140/- is sought assailing the orders of 16th March, 2017 and 7th April, 2017. The case of petitioner, as noticed in order of 24th July, 2017, is as under: -

It is the submission of the learned counsel for the petitioner that the petitioner is recruited as TGT prior to 1st January, 2006 and pursuant to the recommendation of the 6th Central Pay Commission, the pay of the petitioner was fixed at ₹12,540/- with Grade Pay of ₹4,600/- in the year 2008. Vide the impugned order dated 16th March, 2017, the pay of the petitioner has been re-fixed at ₹10,890/- w.e.f. 01.01.2006 and an amount of ₹4,49,448/- is sought to be recovered from the petitioner.

Learned Standing Counsel for contesting respondents No.1 to 3 has handed over a copy of Office Memorandum of 16th April, 2018 issued by Ministry of Finance, Govt. of India in which it is stated that the pay be re-fixed at the level of Entry Pay applicable to TGTs appointed as Direct Recruits on or after 1st January, 2006 or the date of appointment of TGT, whichever is later.

Learned Standing Counsel for contesting respondents No.1 to 3 submits that the aforesaid O.M. of 16th April, 2018 would be given effect to within a period of eight weeks.

Learned counsel for respondent-School submits that once the O.M. of 16th April, 2018 is implemented, the current salary would be accordingly paid to petitioner.

While taking on record the aforesaid undertaking given on behalf of respondents, this petition and the application are disposed of. It is made clear that if for any reason whatsoever, there is violation of the undertaking given to this Court, then petitioner shall have the right to invoke the contempt jurisdiction of this Court.

With aforesaid observations, this petition and the application stands disposed of.

(SUNIL GAUR)
JUDGE

MAY 07, 2018

s