

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

Date of Order: January 12, 2018

+ **W.P.(C) 12005/2016 & CMs 47397/2016, 839/2018**
+ **W.P.(C) 11687/2017 & CM 47440/2017**

RAJESH KUMAR RAGHAV & ORS
SANDEEP KUMAR AND ANR.

..... Petitioners

Through: Ms. Kiran Singh, Advocate

versus

DIRECTORATE OF EDUCATION AND ANR.Respondents

Through: Mr. Santosh Kumar Tripathi, ASC
for respondent No.1 (in I-10)

Mr. Naushad Ahmed Khan, ASC and Mr.
Rizwan, Advocate for respondent No.1 (in I-18)
Mr. Kanwar S.N., Advocate for respondent
No.2-School

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioners in above-captioned two petitions are Class-III and Class-IV employees of respondent-School whose grievance is that they have not been issued proper appointment letter nor their salaries in terms of Rule 96 of the *Delhi School Education Act and Rules, 1973* are being paid to them.

2. Since the issue involved in these petitions is identical, therefore, with the consent of learned counsel for the parties, both these petitions

have been heard together and by this common order, they are being disposed of.

3. Learned counsel for respondent-School submits that copies of appointment letters issued to petitioners would be supplied to them within a period of four weeks or in the alternative, duplicate appointment letters would be issued to them. He further submits that the apprehension of petitioners of their services being dispensed with, is misplaced as respondent-School is not contemplating to do so and if an occasion arises, then it would be done in accordance with applicable Rules and Regulations.

4. So far as salary aspect is concerned, there is no clarity in the pleadings and so, it is deemed appropriate to dispose of these petitions with permission to petitioners to make a concise Representation qua their grievance of salary being not paid, within a period of four weeks. If it is so done, then respondent-School shall pass a speaking order on petitioners' Representation within a period of twelve weeks and the fate of the Representation be conveyed to petitioners, so that they may avail of their remedies as available in law, if need be.

5. As regards the grievance made in C.M.839/2018, it would be incorporated by petitioner-*Rajesh Kumar Raghav* in his Representation and issue of payment of school fee by the said petitioner be also dealt with by respondent-School in terms of applicable Rules and Regulations. So far as the issue of payment of school fee by petitioner-*Rajesh Kumar Raghav* is concerned, no coercive steps in respect thereof be taken by respondent-School till the issue of payment of school fee by petitioner-

Rajesh Kumar Raghav is decided by respondent-School and conveyed to petitioner-*Rajesh Kumar Raghav*, who shall thereafter be at liberty to avail of remedies as available in law, if need be.

6. With aforesaid directions, the above-captioned petitions and the applications are disposed of.

(SUNIL GAUR)
JUDGE

JANUARY 12, 2018

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