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

+ **W.P.(C) 3809/2019**

SUBRATA SEN

..... Petitioner

Through Mr.Pallav Mongia, Adv. with  
Mr.Mridul Chakravarty, Adv.

versus

GOVERNMENT OF NCT OF DELHI AND ORS. .... Respondents

Through Mr.Naushad Ahmed Khan, ASC with  
Mr.Zahid Hanif, Adv. for R-1.  
Mr.Dev P. Bhardwaj, CGSC for R-4  
to 6.

**CORAM:**

**HON'BLE MR. JUSTICE SURESH KUMAR KAIT**

**ORDER**

% **12.04.2019**

**CM APPL. 17390/2019 (Exemption)**

Allowed, subject to all just exceptions.

This application is, accordingly, disposed of.

**W.P.(C) 3809/2019**

Vide the present petition, the petitioner seeks direction as under:

- A. Issue a writ in the nature of mandamus or any other appropriate writ, direction or order upon the respondents to immediately implement the Modified Assured Career Progression Scheme (MACPS) with regard to the petitioner by granting him financial upgradation under MACP-1 w.e.f. 01.09.2008 along with arrears, as he has become eligible for the same since the year 2007 and

the said school has already accepted MACPS and also implemented benefits of financial upgradation under MACP-1/MACP-2 with regard to its staff (both teaching and non-teaching) in the past, in the years 2013 and 2016;

- B. Issue a writ in the nature of mandamus or any other appropriate writ, direction or other upon the respondents to immediately release the consequential financial benefits arising therein along with arrears to the petitioner in terms of and in continuance of prayer A hereinabove, within a reasonable period of time.

To this effect, the School Management Committee/respondent has taken up the case of the petitioner in a meeting held on 20.02.2016, in Agenda 4 which is at page 76, Annexure-9 of the present petition and the said issue has to be finally decided by the Education Department of NCT of Delhi.

It is stated by counsel for the petitioner that till date, no decision has been taken by the Government of NCT of Delhi.

Therefore, I hereby dispose of the present petition directing the respondent nos.1 to 4 to take decision on Agenda 4 mentioned above, within two months from the receipt of this order, if not already taken and the decision so taken, shall be communicated to the petitioner within one week thereafter. If the petitioner is still aggrieved, he is at liberty to challenge the same before the appropriate Forum.

It is made clear that if the decision has already taken, the same shall be communicated to the petitioner within two weeks from the receipt of this order.

In view of the above, the present petition is disposed of.

**SURESH KUMAR KAIT, J**

**APRIL 12, 2019**

**ab**