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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1964/2024**

MS ANJANA BAZIRA

..... Petitioner

Through: Mr. Nikhilesh Kumar, Advocate.

versus

ST MARTINS DIOCESAN SR SEC SCHOOLS AND ORS

..... Respondents

Through: Ms. Latika Choudhury, Advocate for
R-4.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

12.02.2024

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(The proceeding has been conducted through Hybrid Mode)

CM APPL. 8235/2024 (for exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 1964/2024 & CM APPL. 8236/2024 (for direction)

3. This is a writ petition under Article 226 of the Constitution of India, 1950, *inter alia* seeking the following reliefs:-

“a) Issue a writ of mandamus, or any other appropriate Writ or order(s) or direction(s) to the Respondent No.4 to pass a speaking order on the representation dated 25.12.2023 within a period of four weeks; or in the alternative

b) Issue a writ of mandamus, or any other appropriate Writ or order(s) or direction(s), directing the Respondent – school to pay the salary arrears of suspension period i.e. from 22.8.2015 till 2019 along with interest;

c) Issue a writ of mandamus, or any other appropriate Writ or order(s) or direction(s), directing the Respondent – school to grant



first MACP w.e.f. 2.7.2011 to the Petitioner and pay arrears along with interest;

d) Issue a writ of mandamus, or any other appropriate Writ or order(s) or direction(s), directing the Respondent – school to grant second MACP w.e.f. 2.7.2021 to the Petitioner and to pay arrears along with interest;

e) Issue a writ of mandamus, or any other appropriate Writ or order(s) or direction(s), directing the Respondent – school to grant increment of suspension period i.e. 22.8.2015 till August 2019 & DA to the Petitioner and pay arrears along with interest; and

f) Issue a writ of mandamus, or any other appropriate Writ or order(s) or direction(s), directing the Respondent – school to implement the recommendation of 7th CPC and pay the arrears w.e.f. 1.1.2016 till realization along with interest @ 24% PA to the Petitioner.”

4. Mr. Nikhilesh Kumar, learned counsel appearing for the petitioner submits that as of now, he is under instructions to restrict his relief to prayer A of the writ petition, which is as under :-

“a) Issue a writ of mandamus, or any other appropriate Writ or order(s) or direction(s) to the Respondent No.4 to pass a speaking order on the representation dated 25.12.2023 within a period of four weeks; or in the alternative”

5. The said prayer is in respect of the representation dated 25.12.2023 to be disposed of with a speaking order within a period of four weeks.

6. Issue notice.

7. Notice is accepted by Ms. Latika Choudhury learned counsel for the respondent No.4.

8. Since the relief sought is only for disposal of the representation, this Court is of the opinion that the said prayer being innocuous, can be allowed.



9. The respondent No.4 is directed to pass a speaking order on the representation dated 25.12.2023 within a period of six weeks from the date of receipt of this order.

10. The respondent No. 4 is also directed to provide an opportunity of hearing to the petitioner as also to respondent Nos. 1 to 3 and thereafter dispose of the representation in accordance with law, within the time stipulated, as aforesaid.

11. In view of the above, the writ petition along with pending applications is disposed of.

TUSHAR RAO GEDELA, J

FEBRUARY 12, 2024/nd