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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 455/2022 & CM APPL. 33428/2022 -Addl. doc., CM APPL. 33429/2022 -Delay12 days., CM APPL. 33431/2022 -Stay., CM APPL. 56315/2022 -Dir.
MANAGING COMMITTEE THROUGH ITS MANAGER
SARDAR PATEL PUBLIC SR SECONDARY SCHOOL

..... Appellant

Through: Mr.Arvind Kr.Gupta with Mr.Rishi Bharadwaj, Advs & Mr.Uttam Kumar, LDC.

versus

PREM CHAND & ORS. Respondent
Through: Mr.Vivek Kumar Tandon with Ms.Kanika Rathore, Mr.Darshnik Narang, Advs for R-1-5.
Mr.Nitesh Kumar Singh, Adv for Ms.Avnish Ahlawat, S.C. for R-2.

+ LPA 456/2022 & CM APPL. 33521/2022 -Addl. doc., CM APPL. 33522/2022 -Delay12 days., CM APPL. 33524/2022 -Stay.
MANAGING COMMITTEE THROUGH ITS MANAGER
SARDAR PATEL PUBLIC SR SECONDARY SCHOOL

..... Appellant

Through: Mr.Arvind Kr.Gupta with Mr.Rishi Bharadwaj, Advs & Mr.Uttam Kumar, LDC.

versus

CHANDRA RANI & ORS. Respondent
Through: Mr.Raj Kumar Mittal, Adv for R-1.
Mr.Nitesh Kumar Singh, Adv for Ms.Avnish Ahlawat, S.C. for R-2.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR



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ORDER
06.02.2024

1. The present appeals under Clause X of the Letters Patent seek to assail the common order dated 10.05.2022 passed by the learned Single Judge in W.P(C)1292/2020 & W.P.(C)9361/2019. Vide the impugned order, the learned Single Judge has allowed the writ petitions preferred by the respondents by holding that they were entitled to receive the complete benefits of 6th and 7th Central Pay Commission(CPC) and has consequently directed the appellants to pay arrears of the same within a period of six months. Further, the learned Single Judge has directed that arrears in terms of the 6th CPC would be paid with interest @ 6% per annum while arrears in terms of the 7th CPC would not carry any interest. We may note that under the impugned order the learned Single Judge has also directed the Directorate of Education i.e. the respondent no.2 to consider the prayer of the respondents for grant of MACP, bonus and LTC and pass a detailed order thereon within a period of 12 weeks.
2. Learned counsel for the appellants submits that though the appellants are not assailing the impugned orders per se, they are only seeking time to comply with the directions issued by this Court on 10.05.2022, for which purpose specific directions were issued by this Court on 01.08.2022 and 23.08.2023. He, further, submits that an affidavit in terms of this Court's directions issued on 01.08.2022 and 23.08.2023, has been filed and assures the Court that the appellants will strictly abide by the payment schedule as set out in their affidavit dated 07.11.2023.



3. On the other hand, learned counsel for the respondent no.1 while praying for dismissal of the appeals, submits that till date the appellants have not complied with their own affidavit, wherein they had given a specific payment schedule. He further submits that even the respondent no.2 has not passed any order in respect of the claim of the respondent no.1 regarding grant of MACP, bonus and LTC.
4. Having considered the submissions of learned counsel for the parties, and perused the record, we are of the considered view that in the light of the stand taken by the appellants, there is no reason as to why the appeals should be kept pending any further. The appeals are, accordingly, along with all pending applications disposed of by modifying the payment schedule set out under the impugned order to the payment schedule set out by the appellants themselves in their affidavit filed on 07.11.2023. The respondent no.2 is also directed to pass, within 12 weeks, a reasoned order on the respondent no.1's claim regarding grant of MACP, bonus and LTC, in terms of the impugned order.
5. It is, further, made clear that, in case, the appellants or the respondent no.2 do not abide by this order, it will be open for the respondent no.1 to initiate appropriate proceedings as per law.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 6, 2024/sr