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

+ **W.P.(C) 12338/2024**

DAVINDERJIT SINGH

.....Petitioner

Through: Mr. Nikhilesh Kumar, Advocate.

versus

**GURU HARKRISHAN PUBLIC SCHOOL
AND ORS**

.....Respondents

Through: Mr. Abinash Kumar Mishra,
Advocate for R1 and R2.

Mr. Yeeshu Jain, ASC, with Ms. Sonu Kumari,
Mr. Hitanshu Mishra and Mr. Akshun Thakur,
Advocates, for R3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **04.09.2024**

CM APPL. 51334/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking multiple reliefs, i.e., revision of Pay under 6th CPC and 7th CPC along with arrears as well as for grant of second financial upgradation under Modified Assurance Career Progression (MACP) Scheme allegedly due from October, 2021 along with a direction to Respondents No. 1 and 2 to restore the designation of the Petitioner as Lab Attendant instead of Multitasking Staff (MTS).



4. Petitioner was appointed with Guru Harkrishan Public School (School), Fateh Nagar Branch on 08.10.2001 as Lab Assistant in the Pay Scale of Rs.3050-4950/- and claims that while implementing the recommendations of 6th CPC on 26.05.2024, Petitioner's pay scale was revised to Rs.5200-20200/- with Grade Pay of Rs.1800/- contrary to the CCS (Revised) Pay Rules, 2008 whereby Petitioner was entitled to a Grade Pay of Rs.1900/-. Benefit of pay revision under 7th CPC is also sought. The third grievance is that in 2018, the School unilaterally changed the designation of the Petitioner from Lab Assistant to MTS, which post does not even exist in the School. Petitioner also contends that he was granted 1st financial upgradation under the MACP Scheme incorrectly in the Grade Pay of Rs.1800/- in the year 2011, which needs to be rectified and as for the 2nd financial upgradation, the grievance is that the same has not been given to the Petitioner till date.

5. Learned counsel appearing on behalf of the Petitioner, at the outset, submits that at this stage, Petitioner would be satisfied if a direction is issued to the School to consider and decide the several representations of the Petitioner which are till date pending before the School with liberty to approach the Court in case the grievances are not redressed.

6. Issue notice.

7. Mr. Abinash Kumar Mishra, learned counsel accepts notice on behalf of Respondents No.1 and 2.

8. Mr. Yeeshu Jain, learned ASC accepts notice on behalf of Respondent No.3/Directorate of Education.

9. In view of the submission made by learned counsel for the Petitioner, this writ petition is disposed of at this stage with a direction to the School/



Respondent Nos.1 and 2 to decide all the pending representations made by the Petitioner as referred to in prayer clause (d) of the writ petition. The decision shall be taken within eight weeks from today of receipt of the order and needless to state that the order so passed will be a reasoned and speaking order, which shall be communicated to the Petitioner, who will be at liberty to take recourse to legal remedies, if so advised. Needless to state that whatever benefits are found due to the Petitioner will be released within six weeks thereafter.

10. Writ petition stands disposed of noting that this Court has not expressed any opinion on the merits of the case.

JYOTI SINGH, J

SEPTEMBER 4, 2024/jg/shivam