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

+ **W.P.(C) 14169/2024**

PRAMOD KUMAR

.....Petitioner

Through: Mr. Fahim Khan Mr. Aquib Ahmed,
Ms. Somayya Ali and Mr. Noman Ul Haq,
Advocates.

versus

DIRECTORATE OF EDUCATION AND ANRRespondents

Through: Mr. Shashank Singh and Mr. Gaurav
Dhingra, Advocate for R-1/(DOE/GNCTD)

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **08.10.2024**

C.M. APPL. 59290/2024

1. 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 laying a challenge to the impugned letter dated 26.10.2023 with respect to post fixation for the year 2022-23 in respect of Respondent No. 1.
4. The grievance of the Petitioner is that on post fixation, he has been declared as surplus staff which has affected his seniority and consequential consideration for promotion, as he has been transferred vide order dated 21.02.2024 to another school.

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5. In my view, since the matter relates to post fixation, it is at the first instance for the Directorate of Education to decide the issue.

6. Issue notice.

7. Mr. Shashank Singh, learned counsel accepts notice on behalf of Respondent No. 1.

8. At this stage, this writ petition is disposed of directing the Respondents including the DoE to treat this writ petition as a representation and to decide the issues flagged by the Petitioner with respect to declaring him surplus with a consequent impact on his seniority and pass a reasoned and speaking order thereon. The decision shall be taken within three weeks from today and communicated to the Petitioner within a week thereafter who will also be at liberty to take recourse to appropriate legal remedies, in case of any surviving grievance.

JYOTI SINGH, J

OCTOBER 08, 2024/shivam

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