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

+ W.P.(C) 1066/2025 & CM APPL. 5274/2025

JAI SHRI

.....Petitioner

Through: Mr. Yogesh Kumar, Advocate
alongwith Petitioner in person.

versus

DIRECTORATE OF EDUCATION GNCT DELHI THROUGH

THE DIRECTOR OF EDUCATION & ORS.Respondents

Through: Ms. Latika Chaudhary, Advocate
for R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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28.01.2025

1. Issue notice. Ms. Latika Chaudhary, learned counsel, accepts notice on behalf of respondent Nos. 1 and 2.
2. The petitioner has filed this writ petition under Article 226 of the Constitution for a direction upon the respondents to grant benefits of the third financial upgradation under the Modified Assurance Career Progression Scheme ["MACP"] w.e.f. 02.04.2020.
3. The petitioner was appointed as Post Graduate Teacher (Hindi) in respondent No. 3-school in the year 1990 and retired on 30.06.2023 at which time she was serving as the Vice Principal w.e.f. 24.06.2023. She has filed this writ petition seeking the following reliefs:

“(a) To allow the present Writ Petition with cost by passing appropriate orders/directions to the Respondents thereby to grant 3rd Financial Upgradation/ MACP-3 benefits to the Petitioner with effect from 02.04.2020, in the standard hierarchy of Pay Matrix Level 12 under 7th CPC; AND,

(b) To issue directions to the Respondents to fix Pay of the Petitioner in Pay Matrix Level-12, Rs, 78,800-2,09,200/- under 7th CPC with effect from 02.04.2020, i.e., the date of her eligibility for 3rd Financial



upgradation under MACPS and to release up to date Arrears of Salary & other admissible allowances, Arrears of Retirement Benefits and Pension Arrears to the Petitioner within a fixed time frame; AND,

(c) To issue directions to the Respondents that MACP arrears of Salary, Retirement Benefits and Pension be paid alongwith with interest at least @ 7.5% per annum from the date the amount was due till the date of actual disbursal as already decided by the Division Bench of this Hon'ble High Court on 26.04.2024 in CM APPL. No. 18154/2024, filed in WP(C). No. 510612016; AND,

(d) To allow cost of litigation to the Petitioner; AND,

(e) Pass any other or further orders which this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.”

4. Mr. Yogesh Kumar, learned counsel for the petitioner, submits that the petitioner would be satisfied with a direction that the petitioner's case be considered by the Directorate of Education [“DoE”], and necessary directions be given to the respondent No. 3-school, which is an aided school. He submits that the DoE has issued orders granting MACP to similarly placed teachers. He also relied upon certain judgments of this Court which have been annexed to the writ petition.

5. Learned counsel for the DoE, who appears on advance notice, states that the writ petition will be considered as a representation, and necessary orders will be passed within a period of eight weeks from today.

6. The writ petition, alongwith pending application, is disposed of in these terms.

7. All rights and contentions of the parties are left open.

PRATEEK JALAN, J

JANUARY 28, 2025/MR/AL/