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

+ **W.P.(C) 4546/2024**

ANIL KUMAR MASIH

.....Petitioner

Through: **Mr. A.C. David, Advocate.**

versus

**THE DEPUTY DIRECTOR OF EDUCATION (CENTRAL) NEW
DELHI**

.....Respondent

Through: **Counsel (appearance not given).**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.04.2025

1. The petitioner joined services of Francis Girls' Senior Secondary School, a government-aided institution, on 01.09.1981 and retired on 30.06.2017.
2. The petitioner, through a representation made to the respondent – the Deputy Director of Education – sought a one-time notional increment, which would otherwise have accrued to him on 01.07.2017, i.e. on the day after his retirement, for the purposes of calculating retiral benefits.
3. The petitioner relies upon a judgment of the Supreme Court in *the Director (Admn. and HR) KPTCL & Ors. vs. C.P. Muddinamani & Ors.* [judgment dated 11.04.2023, Civil Appeal No. 2471/2023] wherein such relief was granted. He had earlier filed a writ petition [W.P.(C) No.828/2023], which was disposed of on 31.07.2023 with the direction to treat it as a representation. However, by an order dated 20.12.2023, the



benefit was declined.

4. The petitioner has filed this writ petition against the aforesaid order dated 20.12.2023 and seeking consequential directions as noted above.

5. Although notice was issued on 28.03.2024 and time was granted for filing of counter affidavit, no counter affidavit has been filed.

6. It is submitted by learned counsel for the Government of National Capital Territory of Delhi [“GNCTD”] that the Government has decided to grant the notional increment on 1st July/1st January to those employees, who retired from service on 30th June/31st December, respectively. A copy of the communication dated 01.04.2024 from the Ministry of Home Affairs, Government of India, addressed to the GNCTD, along with a consequent direction dated 20.05.2024 issued by the GNCTD, has been handed over in Court and is taken on record.

7. In view of the above, the writ petition is disposed of with the direction that the petitioner will be granted a notional increment alongwith all other consequential benefits, with effect from 01.07.2017.

8. The respondent – the Deputy Director of Education (Central) is directed to recompute petitioner’s retirement benefits and pay any arrears within a period of eight weeks.

PRATEEK JALAN, J

APRIL 22, 2025

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