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

+ **W.P.(C) 4985/2019**

DEVENDRA PRASAD CHANDOLAPetitioner

Through: Mr. M.A. Niyazi, Adv.

versus

DIRECTORATE OF EDUCATION AND ANR.Respondents

Through: Mr. Gaurav Dhingra & Mr. Shashank
Singh, Advs. for R-1.
Mr. Santosh Kumar Pandey, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER
31.10.2025

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1. This petition is filed seeking quashing of order dated 25.08.2018 passed by respondent no.1 – the Director of Education rejecting representation of the petitioner.

2. The brief facts are that the petitioner was appointed as a Head Clerk on 01.08.2007 with respondent no.2 – Army Public School, Dhaula Kuan, in grade of Rs.4500-125-7000, beside usual allowances as applicable to other employees in the school. The petitioner was promoted in 2011 to the post of Office Superintendent. The petitioner aggrieved of anomaly in pay fixation filed a representation and, on the needful not being done, filed W.P.(C) 4806/208 titled *Devendra Prasad Chandola v. Directorate of Education & Anr.* The writ petition was disposed of on 07.05.2018 directing the



respondent no.1 – Directorate of Education to decide the representation in a time bound manner. On rejection of the representation vide order dated 25.08.2018, the present petition has been filed.

3. The representation was rejected considering that the petitioner relied upon order nos.56 and 57 dated 03.02.2015 issued by Government of NCT of Delhi and endorsed by the Directorate of Education vide letter dated 17.02.2015. The orders were applicable to the employees governed by Delhi Administration Subordinate Services (‘DASS’) and the petitioner is not in the DASS cadre.

4. Learned counsel for the petitioner, on instructions from the client present in court identified by the counsel, fairly submits that the petitioner is not governed by DASS. However, submission is made that pay fixation of the petitioner as Head Clerk and after promotion to the post of Office Superintendent is not in consonance with Rules 10 and 107 of the Delhi Education School Rules, 1973 (for short ‘1973 Rules’).

5. After arguing at some length, realizing that this issue was not raised earlier, on instructions from the client, learned counsel for the petitioner is not pressing this petition with liberty to approach the respondent no.1 by way of filing a representation for removal of pay anomaly in view of 1973 Rules.

6. Without commenting upon merits of the case, this petition is disposed of as not pressed with liberty as prayed for.

7. In the eventuality of the petitioner filing a representation with respondent no.1 within six weeks from today, the same shall be considered in accordance with law and decided by passing a speaking order within three months of the receipt of the representation.



8. The writ petition is disposed of.
9. Needless to say, the petitioner shall be at liberty to avail remedies in accordance with law if aggrieved of the decision.

AVNEESH JHINGAN, J

OCTOBER 31, 2025/ ha