



\$~7

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

+ W.P.(C) 10196/2021 & CM APPL. 31455/2021

ANAND KUMAR SAXENA

.....Petitioner

Through: Ms. Kritika Matta, Mr. Anuj Aggarwal, Mr. Pradeep Kumar, Mr. Shubham Bahl, Mr. L. Chauhan & Ms. Tanya Rose, Advocates.

versus

SHRI SANATAN DHARAM SARASWATI BAL MANDIR SR.
SEC. SCHOOL & ORS.

.....Respondents

Through: Mr. Rajesh Gupta and Mr. Harpreet Singh, Advocates for R-1 to 3.
Mr. Sujeet Kumar Mishra and Mr. Harsh Kumar Pandey, Advocates for DoE.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

14.10.2025

1. By way of the present petition under Article 226 of the Constitution, the petitioner seeks payment of arrears of salary and other emoluments as per the recommendations of the 6th and 7th Central Pay Commissions.
2. The petitioner was appointed as a Steno-cum-Typist in respondent No. 3 – Samarth Sikhsha Samiti (Regd.) [“Samiti”] in 1985. He was promoted to the post of Upper Division Clerk in 1997, and subsequently to the post of Head Clerk in 2018. He was thereafter posted to respondent No. 1 – School on 04.05.2020. The petitioner, vide communication dated



13.05.2020, sought voluntary retirement from the Samiti. The said request was accepted by a communication dated 24.12.2020 issued by the Samiti, thereby terminating his services.

3. As far as the petitioner's termination from the services of the respondents is concerned, the petitioner approached the Delhi School Tribunal, which dismissed his appeal on 31.01.2025. He then filed W.P.(C) 4903/2025 against the aforesaid order, which was dismissed by this Court on 17.04.2025. I am informed that the petitioner has filed LPA 619/2025 against the said order, in which the parties have been referred to mediation.

4. The only other relief pressed in this writ petition is with regard to the quantum of salary and other emoluments payable to the petitioner, computed in accordance with the recommendations of the 6th and 7th Central Pay Commission, prior to 24.12.2020, when the Samiti accepted the petitioner's request for voluntary retirement.

5. Mr. Rajesh Gupta, learned counsel for respondent Nos. 1 to 3, submits upon instructions that the petitioner was, in fact, paid all his dues until 24.12.2020 on the basis of the recommendations of the 6th and 7th Central Pay Commission. Ms. Kritika Matta, learned counsel for the petitioner, however, disputes this position.

6. It appears from the above submissions that there is no dispute in principle with regard to the petitioner's claim for dues in accordance with the Pay Commission recommendations until the time he was admittedly in the employment of the respondents, i.e. until 24.12.2020. The only question which remains is the reconciliation of accounts, as the parties differ on whether he has, in fact, been paid in accordance therewith.



7. Having regard to the number of cases filed by employees of schools in which such factual questions involving reconciliation of accounts arise for determination, I am of the view that it is appropriate for this exercise to be taken up by the Directorate of Education [“DoE”] at the first instance, rather than by the writ Court. The petitioner and the respondents are directed to file their respective statement of accounts, alongwith any other supporting material, before the concerned Deputy Director, DoE, within a period of six weeks from today. The DoE may call for clarifications and give necessary directions within a period of eight weeks thereafter. It is reiterated that this exercise is intended to cover the period upto 24.12.2020, and not beyond.

8. The rights and remedies of the parties in respect of the quantification remain reserved.

9. The writ petition, alongwith pending application, stands disposed of in terms of the aforesaid.

PRATEEK JALAN, J

OCTOBER 14, 2025

“pv/KA”/