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

+ LPA 470/2021, CM APPL. 44112/2021, CM APPL. 14015/2023

DEEPIKA GULATI AND ANR.

.....Appellants

Through: Mr. Khagesh B. Jha, Ms. Shikha Sharma Bagga, Mr. Ankit Mann and Ms. Jyoti Shokeen, Advocates.

versus

RICHMONDD GLOBAL SCHOOL AND ORSRespondents

Through: Ms. Anjana Mishra, Senior Advocate, Mr. Vedanta Varma, Advocate, Mr. Shubhankar Choudhary, Advocate for R-1.

Mr. Yeeshu Jain, ASC with Ms. Jyoti Tyagi, Mr. Aveeraj Sharma Ms. Priya Shukla, Advocate for Respondent DOE (Department of Education).

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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24.07.2025

1. The present LPA has been filed by the Appellants against the Order dated 08.11.2021, passed by the learned Single Judge in W.P.(C) 6142/2021. The said Writ Petition was filed by the Appellants herein with the following prayers:

“It is respectfully prayed from this Hon’ble court to be pleased to

a) Direct the respondent school to restore the access of



the school portal ID of the petitioners so that they can perform their lawful duties of an employee in school.

b) Direct the respondent to not to terminate the petitioners without following due process of law as mandated under DSEAR, and till the pendency of the writ petition being vindictive for approaching this Hon'ble Court

c) Direct the respondent school to start disbursing uninterrupted regular lawful salary to the petitioners as per 7th CPC.

d) Direct the respondent school to hand over all the original documents/certificates of petitioner no. 1 to her safely.

e) Direct the respondent no. 1 & 2 to disburse the lawful arrears amounting to the arrears as per ANNEXURE-A4(Colly), with interest @12% P.A. as per the calculations chart annexed;

f) allow the writ petition with cost; g) or pass any other order of further orders this Hon'ble court be fit on the basis of above-mentioned facts and circumstances of the case.”

2. Relevant portion of the Order dated 08.11.2021, disposing of the Writ Petition, filed by the Appellant herein, reads as under:

“2. The grievance of the petitioners is the non-payment of the benefits under the 7th CPC and restoring the access of the School portal ID of the petitioners and also the payment of salaries for the period from March 2020 to June 2021 (for petitioner No.1) and January 2020 to June 2021 (for petitioner No.2). Learned counsel for the respondent No.1 / School states that the ID has been restored and the petitioners are being paid



salary.

3. Insofar as the grievance of the petitioners with regard to the payment of benefit under the 7th CPC and also salary for the months of March 2020 to June 2021 (for petitioner No.1) January 2020 to June 2021 (for petitioner No.2) is concerned, learned counsel for the respondent No.1 / School states that the School shall decide issues by communicating their decision to the petitioners within a period of six weeks from today.

4. It is made clear that if the benefits are payable to the petitioners, the same shall be released within a period of four weeks thereafter.

5. With the aforesaid, the petition is disposed of. If the petitioners are still aggrieved by any decision to be taken by the respondent No.1 / School, liberty is with the petitioners to approach this Court.”

3. The grievance of the Appellants herein before the learned Single Judge was non-payment of the benefits under the 7th CPC. The learned Single Judge by the Order impugned herein had directed the Teachers/Appellants herein to approach the School for a decision as to whether the Teachers are entitled to the benefit of 7th CPC or not.

4. This Court does not find any error in the Order passed by the learned Single Judge.

5. However, learned Counsel for the Appellants/Teachers state that the Appellants herein have been able to obtain certain information under the Right to Information Act, 2005 stating that the Appellants herein are the regular employee and that they would be entitled to the benefit of 7th CPC. A Status Report has also been filed by the Respondent stating that the said



information was not furnished by the Directorate of Education.

6. Learned Counsel for the Respondent has produced a Status Report which reveals that an enquiry was conducted in accordance with the directions passed by this Court on 11.10.2023. The conclusion of the enquiry report reads as under:

“Summary Conclusive observation of DDE Zone-17/Committee,

➤ The petitioners/complainants as well as respondent school failed to produce any appointment letter/contract letter, hence the viability in regard to appointment of teachers/petitioners whether they are regular or contractual cannot be ascertained.

➤ As per the version of the respondent school, the concerned teachers/petitioners are contractual teachers. Hence as per rule they are not entitled to get the benefits under 6th & 7th CPC.

➤ It is the fact that the due arrears of the petitioners for intervening period based on the basic salary previously paid and accordingly calculated and paid the arrears which were duly verified and vetted by Senior Account Officer, West-B.

The management of the school is directed to hand over the documents, if any, as alleged by the petitioner that the original documents of the staff are kept in the custody of the respondent school.”

7. In view of the fact that the Directorate of Education has already conducted an enquiry and reviewed the matter, instead of directing the Appellants to approach the School, this Court finds it expedient to direct the Appellants to approach the Directorate of Education raising its grievances.



The Directorate of Education is directed to treat the Writ Petition of the Teachers as representation and decide the case of the Appellants herein within six weeks from today as to whether the Appellants are entitled to the benefit of 7th CPC or not.

8. Looking at the fact that the Writ Petition was filed in the year 2021 and four years have passed, the Directorate of Education is directed to strictly adhere to the timeline given by this Court and decide the case of the Appellants herein within six weeks from today.

9. It is also made clear that this Court has not made any observations on the merits of the case.

10. The School is directed to co-operate in the proceedings by providing all the documents as asked for by the Directorate of Education.

11. Let a copy of the Writ Petition be provided to the Directorate of Education within three days from today.

12. With these observations, the Appeal is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

SAURABH BANERJEE, J

JULY 24, 2025

Rahul