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

+ **W.P.(C) 9189/2024**

BALJEET KAUR

.....Petitioner

Through: Mr. Sushil Dutt Salwan, Sr. Adv.
with Mr. Arjun Garg, Advocate.

versus

**S.S. MOTA SINGH MODEL SCHOOL (SENIOR SECONDARY)
& ANR.**

.....Respondents

Through: Mr. Aranya Moulick, Ms. Namya
Rishi, Advocates for R-1.
Mr. Yeeshu Jain, Ms. Jyoti Tyagi,
Ms. Bhuwan Raj Seth, Advocates
for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **22.09.2025**

CM APPL. 57533/2025 (for early hearing)

This is an application for early hearing of the writ petition filed by the petitioner.

For the reasons stated in the application, and with the consent of learned counsel for the parties, the application is allowed, and the writ petition is taken up on Board.

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1. The petitioner was appointed as a Trained Graduate Teacher (Science) in respondent No. 1 – S.S. Mota Singh Model School (Senior Secondary) [“the School”] on 01.07.1992. She served in the School until 01.08.2022.



2. By way of this writ petition under Article 226 of the Constitution, the petitioner seeks arrears of pay and allowances for the period from 01.01.2016 to 31.07.2021, computed in accordance with the recommendations of the 7th Central Pay Commission [“CPC”]. She also seeks payment of terminal dues computed on the basis of the 7th CPC recommendations.

3. Mr. Sushil Dutt Salwan, learned Senior Counsel for the petitioner, submits that in the case of similarly placed employees of the same School, a coordinate Bench granted such relief in *Amrita Pritam & Ors. v. S.S. Mota Singh Junior Model School & Ors* [W.P.(C) 1335/2019, decided on 22.09.2021]. The said judgment was carried in appeal [LPA 399/2021], but was dismissed by the Division Bench *vide* order dated 26.09.2023. Mr. Aranya Moulick, learned counsel for the School, confirms that the School accepted the judgment of the Division Bench.

4. In the counter affidavit filed to the writ petition also, the School has not denied liability, but asserted that it is unable to pay the petitioner’s dues on account of financial constraints.

5. In fact, learned counsel for the parties point out that a contempt petition [CONT.CAS.(C) 119/2022] is pending in respect of the payments which were to be made pursuant to the aforesaid judgment, in which this Court has directed the Directorate of Education [“DoE”] to appoint a Chartered Accountant to carry out audit of the School and oversee their bank accounts. DoE has also been directed that salaries of the teachers be paid as per the applicable Rules of priority.

6. The contempt proceedings remain pending before this Court, and Mr. Salwan submits that the petitioner, in the present case, would be



satisfied with a direction that she will be paid arrears, gratuity and leave encashment in the same manner, as being disbursed to other similarly placed teachers.

7. The writ petition is therefore disposed of, with the direction that the petitioner will be granted arrears of pay and allowances in accordance with the recommendations of the 7th CPC for the period 01.01.2016 to 31.07.2021, as well as gratuity and leave encashment dues in accordance with the recommendations of the 7th CPC until 31.07.2021. As far as the modality of payments are concerned, the School is directed to process the petitioner's payments in *pari materia* with the payment of arrears, leave encashment and gratuity, being made to other teachers of the School in terms of the orders of the contempt Court. Further, on the amounts of gratuity and leave encashment, interest will be paid @ 6% per annum.

8. The next date of hearing already fixed, i.e. 11.11.2025, stands cancelled.

PRATEEK JALAN, J

SEPTEMBER 22, 2025

'Bhupi'/AD/