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

+ **CONT.CAS(C) 1379/2025**

**MRS. KAWAL SINGH**

.....Petitioner

Through: Mr. Kirish Gandhi, Advocate with  
petitioner in person.

versus

**MS VEDITHA REDDY, DIRECTOR, DIRECTORATE OF  
EDUCATION**

.....Respondent

Through: Mr. Yeeshu Jain, ASC with Ms.  
Jyoti Tyagi, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **10.09.2025**

1. By way of the present contempt petition, the writ petitioner in W.P.(C) 14192/2023 [*Mrs. Kawal Singh v. St. Marks Sr. Sec. Public School and Another*] alleges violation of an order dated 16.05.2024, passed in the said writ petition.

2. The writ petition relates *inter alia* to an allegation of miscalculation of Dearness Allowance ["DA"] payable to the petitioner by St. Mark's Senior Secondary Public School, with which she was employed. The aforesaid relief is contained in prayer (A) of the writ petition, which reads as follows:

*"A. Kindly Direct Respondent no. 1 to immediately remit to the Petitioner Rs 1,49,567.00 (Rupees One Lakh Forty Nine Thousand, Five Hundred and Sixty Seven) only which it has withheld due to miscalculation of Petitioners Dearness Allowance, leave encashment and gratuity dues."*

3. As far as this prayer is concerned, the allegation in the contempt petition is that the Directorate of Education ["DoE"] has not complied with the Court's direction in respect of the aforesaid relief. My attention is drawn to paragraphs 3 and 4 of the aforesaid order, which reads as



follows:-

*“3. After hearing, learned counsel appearing for the petitioner as also Mr. Narayan, this Court is of the considered opinion that apart from prayer (D) even prayer (C) regarding disclosure of career progression policy of respondent no. 1 also need not to be looked into since the issue of preliminary involves whether the petitioner is entitled to MACP benefits at all. So far as prayer (a) is concerned, the respondent-DoE is directed to evaluate and calculate the Dearness Allowance given to the petitioner and covered in prayer (a) as to whether the same was granted to the petitioner at the rate indicated in OM on 07.09.2021.*

*4. Respondents shall file a counter affidavit taking into consideration the petitioner’s last drawn pay and the DA which has to be calculated thereon as covered in prayer (a). If required, the respondent DoE may call for the competent officer of respondent no.1 along with the relevant records. The officers of respondent no.1 shall be intimated about the date, time and venue for such calculation and relevant information if required.”*

4. The writ petition remains pending and is next listed before the Registrar on 30.10.2025 for completion of pleadings.

5. Mr. Kirish Gandhi, learned counsel for the petitioner, submits that the DoE was required to evaluate and calculate the amount of DA, and indicate whether DA had been paid to the petitioner in terms of the relevant Office Memorandum. Such details were also to be included in the counter affidavit to be filed by the DoE. However, by order dated 10.07.2025 passed by the learned Registrar, DoE was granted four weeks’ time to file its counter affidavit, failing which its right to do so would stand closed. Mr. Gandhi states that no counter affidavit was filed within the time granted, and accordingly, DoE’s right to file the same now stands closed.

6. Ms. Jyoti Tyagi, learned counsel for DoE, submits that DoE will file an affidavit in terms of the directions contained in the order dated 16.05.2024, within three weeks from today, including the requisite details



in terms of prayer (A), and will seek condonation of delay by way of an appropriate application before the learned Registrar. Mr. Gandhi is agreeable to this course of action.

7. DoE is directed to abide by the aforesaid timeline, failing which the petitioner will be at liberty to take appropriate steps in accordance with law.

8. The contempt petition is disposed of with the above directions.

**PRATEEK JALAN, J**

**SEPTEMBER 10, 2025**

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