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

% **Date of Decision: 14.05.2026**

\+ **CONT.CAS(C) 555/2024 and CM APPL.68170/2024**

LEELA GAUR .....Petitioner

Through: Mr. Amit Seth, Adv. (through v/c)

versus

DR. JITENDRA SHARMA AND ORS .....Respondents

Through: Mr. Rajesh Gogna, Ms. Priya Singh, GP, Mr. Abhishek Dwivedi and Ms. Rebina Rai, Advs.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. The present petition alleges wilful disobedience of the directions contained in the judgment/order dated 28.04.2023 passed in LPA No. 773/2017. The operative directions therein are as under:

> "*7. In view of the above, the appeal is allowed. The revised pay scales of Primary Teacher (Senior Scale) as of the said date shall be read as Rs.5500-9000/- The impugned order is modified accordingly. All consequential benefits in terms of this order be made available to the appellant within a period of 8 weeks from the receipt of a copy of this order.*"

2. It transpires that after the aforesaid judgment was passed, an office order dated 24.07.2024 came to be issued. The same reads as under:

पंडित दीनदयाल उपाध्याय
राष्ट्रीय शारीरिक दिव्यांगजन संस्थान
दिव्यांगजन सशक्तिकरण विभाग
(सामाजिक न्याय एवं अधिकारिता मंत्रालय
भारत सरकार के अधीन)
4, विष्णु दिगम्बर मार्ग ,नई दिल्ली 110002

Pt. Deendayal Upadhyaya National Institute for Persons with Physical Disabilities (Divyangjan)
Department of Empowerment of Persons with Disabilities (Divyangjan)
(Under Ministry of Social Justice & Empowerment, Government of India)
4, Vishnu Digamber Marg, New Delhi-110002

F. No. – A-42/3/2023-O/o Dir (PDUNIPPD) /1890/2024 Dated : 24.07.2024

OFFICE ORDER

In continuation of Institute earlier office order no. A-42/3/2023-O/o Dir (PDUNIPPD) dated 03.07.2024, the pay of Mrs. Leela Gaur, Ex-Primary Teacher is re-fixed w.e.f. 01.01.1996 as details under :-

S. No.	Month	Pre revised pay scale	Pre revised Basic Pay		Revised Pay in pay scale	Revised Basic Pay	Remarks
1	01.01.1996	5000-150-8000	₹5150/-		5500-175-9000	₹5500/-	Pay fixed as per 5th Pay Commission w.e.f. 01.01.1996
2	01.04.1996	5000-150-8000	₹5300/-		5500-175-9000	₹5675/-	Annual Increment
3	01.04.1997	5000-150-8000	₹5450/-		5500-175-9000	₹5850/-	Annual Increment
4	01.04.1998	5000-150-8000	₹5600/-		5500-175-9000	₹6025/-	Annual Increment
5	01.04.1999	5000-150-8000	₹5750/-		5500-175-9000	₹6200/-	Annual Increment
6	01.04.2000	5000-150-8000	₹5900/-		5500-175-9000	₹6375/-	Annual Increment
7	01.04.2001	5000-150-8000	₹6050/-		5500-175-9000	₹6550/-	Annual Increment
8	01.04.2002	5000-150-8000	₹6200/-		5500-175-9000	₹6725/-	Annual Increment
9	01.04.2003	5000-150-8000	₹6350/-		5500-175-9000	₹6900/-	Annual Increment
10	01.04.2004	5000-150-8000	₹6500/-		5500-175-9000	₹7075/-	Merger of Dearness Allowance in Basic Pay (Dearness Pay w.e.f. 01.04.2004) & Annual Increment
11	01.04.2005	5000-150-8000	₹6650/-		5500-175-9000	₹7250/-	Annual Increment

Pay fixation as per 6th Pay Commission

S. No.	Period/ months	Pre revised pay scale/ increment 9300-34800 + GP 4200/-	Pre revised Basic Pay incl. GP			Revised Pay in pay scale 9300-34800 + GP 4200/-	Revised Basic Pay including Grade Pay			Remarks
			BP	GP	Total		BP	GP	Total	
1	01.01.2006 to 24.03.2006		12370	4200	16570		13490	4200	17690	
2	25.03.2006 to 30.06.2006	Upgradation from 9300-34800/- + GP4200/- to 9300-34800/- + GP4600/- w.e.f 25.03.2006	12370	4200	16570		13490	4600	18090	She Opt Pay fixation from DNI as per previous record.

		under ACP on completion of 24 years								
3	01.07.2006	-	-	-	-	530	-	-	-	Notional Increment
4	01.07.2006	500	12870	4200	17070	550	14570	4600	19170	Annual Increment
5	01.07.2007	520	13390	4200	17590	580	15150	4600	19750	Annual Increment
6	01.07.2008	530	13920	4200	18120	600	15750	4600	20350	Annual Increment
7	01.07.2009	550	14470	4200	18670	610	16360	4600	20960	Annual Increment
8	01.07.2010	560	15030	4200	19230	630	16990	4600	21590	Annual Increment
9	01.07.2011	580	15610	4200	19810	650	17640	4600	22240	Annual Increment
10	01.07.2011 to 24.03.2012		15610	4200	19810		17640	4600	22240	Annual Incremen
11	25.03.2012 TO 30.06.2012	Upgradation from 9300-34800/- + GP4600/- to 9300-34800/- + GP4800/- w.e.f 25.03.2012 under MACP on completion of 30 years	15610	4600	20210	-	17640	4800	22440	She Opt Pay fixation from DNI as per previous record.
12	01.07.2012	600	-	-	-	670	-	-	-	Notional Increment
13	01.07.2012	620	16830	4600	21430	690	19000	4800	23800	Annual Increment
14	01.07.2013	650	17480	4600	22080	720	19720	4800	24520	Annual Increment
	Date of Retirement									30.11.2013

Calculation of Commutation of Pension

Sr. No.	Particulars	Pre-revised (6th CPC)	Revised as per Hon'ble Court order	Difference	Payable amount
1	Pension before commutation	11045/-	12260/-		
2	Pension after commutation	6627/-	7356/-		
3	Commuted value	4418/-	4904/-		
	Total commuted value (8.194x12)	434413/-	482201/-	47788/-	47788/-

Calculation of Pension as per 7th CPC

Sr. No.	Particulars	Pre-revised (7th CPC)	Revised as per Hon'ble Court order
1	Pension before commutation	28450/-	32050/-
2	Pension after commutation	24032/-	27146/-
3	Commuted value	4418/-	4904/-

Calculation of Gratuity

(Length of service – 31 years 08 months & 05 days)

S. No.	Pre revised Basic Pay including Grade Pay	Dearness allowance	Total amount paid	Revised Basic Pay including GP	Dearness Allowance	Total amount due	Difference amount to be paid
1	₹22090/-	₹19881/-	₹6,61,043/-	₹24520/-	₹22068/-	₹7,33,761/-	₹72,718/-

Encashment of Leave

(Balance Earned Leave – 140 & Balance Half Pay Leave – 03)

S. No.	Pre revised Basic Pay including Grade Pay	Dearness allowance	Total amount paid	Revised Basic Pay including GP	Dearness Allowance	Total Amount due	Difference amount to be paid
1	₹22090/-	₹19881/-	₹193766/-	₹24520/-	₹22068/-	₹2,15,081/-	₹21,315/-

In case of any error slips/Audit observation in while calculating difference of gratuity, Leave encasement, pay/pension arrears, PDUNIPPD reserves all the right to recover the amount from her pension in any manner from Smt. Leela Gaur, Ex-Principal. The concerned should receive/sign this order as an acceptance of this conditions.

This issues with the approval of the Director, PDUNIPPD (E.File no. A-42/2/2023-O/o Dir (PDUNIPPD).

Administrative Officer (offg.)

To,

Ms. Leela Gaur,
Ex-Primary Teacher
R/o 16/612, E Tank Road, Karol Bagh
New Delhi - 110005

3. As recorded in the order dated 11.03.2025, according to the petitioner, there is a discrepancy in the aforesaid order on account of the fact that at the time when she was drawing the earlier pay scale, she was already receiving an increment of Rs.150/-. This is also evident from the figures mentioned under the caption 'pre-revised basic pay' in the table reproduced in the office order.

4. *Prima facie*, there is merit in the contention of the petitioner.

5. Accordingly, after revision of the pay scale, the initial pay should have been Rs.5,500/- plus an increment of Rs.175/- making it Rs.5,675/-.

6. The other entries under the caption revised basic pay shall also be required to be revised accordingly.

7. In the circumstances, the Chief Accounts Officer and other senior authorities of Pt. Deendayal Upadhyay National Institute for Persons with Physical Disabilities (Divyangjan) are directed to revisit the office order dated 24.07.2024 after granting an opportunity of personal hearing to the petitioner. The respondent shall supply a copy of the petitioner's service book to the petitioner.

8. The aforesaid aspect, duly highlighted by the petitioner in these proceedings, shall be taken into account and necessary corrective orders shall be issued within a period of eight weeks from today.

9. Necessary consequential financial benefits shall also be disbursed to the petitioner within the said period.

10. The petition is disposed of in the above terms.

11. It is made clear that if the needful is not done within the aforesaid timelines prescribed by this Court, the same shall be construed as wilful disobedience by the Chief Accounts Officer and other senior officials of Pt.

Deendayal Upadhyay National Institute for Persons with Physical Disabilities (Divyangjan) entailing action under Section 2(b) read with Section 12 of the Contempt of Courts, Act, 1971.

12. In such an eventuality, the petitioner shall be entitled to revive the present proceedings.

SACHIN DATTA, J

MAY 14, 2026/cl