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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3632/2020 & CM APPL. 31347/2020**

RADHEY SHAYAM

..... Petitioner

Through: Ms.Tamali Wad and Ms.Aayushi
Singhal, Advs.

versus

M.R. BHARTI COLLEGE OF EDUCATION & ORS.

..... Respondents

Through: Mr.Ravi Kant, Adv. for R-1 to 4.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **13.01.2021**

This matter is being heard through video-conferencing.

CM APPL. 31347/2020

1. This is an application filed under Order VI Rule 17 CPC for amending the writ petition.
2. The amendments sought in the writ petition are in terms of para 10 of this application. From the reading of para 10 it is also noted that the petitioner intends to amend prayer clause and seek a further prayer for grant of certain pay-scales to him w.e.f. 2013. Apparently, the said prayer shall be hit by delay and laches. Making it clear that the amendments sought shall be allowed subject to the fact that the prayer with regard to the pay-scales and benefits thereof shall relate back to three years preceding the filing of the writ petition.
3. The application is accordingly allowed and the amended writ petition



is taken on record.

4. I note that no one is appearing SCERT. Let Court notice be issued to the Respondent No.5 / SCERT and the Standing Counsel of Government of NCT of Delhi.

5. The respondent Nos.1 to 4 shall file their counter affidavit within four weeks. Rejoinder thereto, if any, be filed within three weeks thereafter.

6. List the matter on April 30, 2021.

7. I take on record the statement made by Mr.Ravi Kant, learned Advocate appearing for the respondent Nos.1 to 4, that subject to the stand of the SCERT, respondent Nos. 1 to 4 are ready to reinstate the petitioner, by reserving their right to proceed against the petitioner in accordance with law.

V. KAMESWAR RAO, J

JANUARY 13, 2021/bh