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

\+ W.P.(C) 6117/2024 & CM APPLs. 1212/2025, 75707/2025, 12815/2026

MRS. MONIKA SHARMA AND ORS .....Petitioners

Through: Mr. Sudhir Sharma, Advocate with Ms. Sheela Devi, Ms. Ritu Bembi, Ms. Ekta Kalra, Ms. Saroj Pant, Ms. P. Manocha, Mr. Sachin Goel, Mr. Pratap Gill, Mr. Prahath and Mr. Sunil, Petitioners present (in-Persons).

versus

PUNAM SURI, PRESIDENT, DAV COLLEGE MANAGEMENT COMMITTEE & ORS. .....Respondents

Through: Mr. Anurag Lakhotia, Advocate for R-1 to 3.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% **12.05.2026**

1. This writ petition, *inter alia*, seeks directions to the Respondent School to re-fix the pay of the Petitioners in accordance with the recommendations of the 7th Central Pay Commission[1] with effect from 1st January, 2016, together with arrears, salary difference and interest at the rate of 12% per annum.

2. The Petitioners state that, despite the passage of several years from the date on which the 7th CPC became applicable, their salaries have still not

[1] "CPC"

been revised. They submit that the continued denial of revised pay has placed them under acute financial strain and has impaired their ability to meet ordinary living expenses. The grievance is stated to be more pronounced in the case of those Petitioners who have since retired after long years of service, but have nevertheless not been extended the benefit of pay revision under the 7th CPC.

3. The Petitioners place reliance on the order dated 10th November, 2025 passed by the Division Bench of this Court in LPA No. 240/2025 concerning Darbari Lal DAV Model School. They submit that the said school, like the Respondent School, is run by the same society and that the directions issued therein, therefore, bear directly on the present controversy. The said order reads:

> *"5. Learned Counsel for the Appellants, in rejoinder, submitted that the Appellant has fallen into a precarious situation inasmuch as, on one hand, the fee hike has not been allowed and, on the other hand, it has been directed to pay the benefit of pay revision to the concerned employees under 7th Pay Commission.*
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> *6. Having heard learned counsel for the parties, we are of the view that since it has been a consistent view of this Court that fee hike and grant of benefit of revision of pay are different subject matters, the interim relief as prayed by the Appellant cannot be granted.*
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> *7. However, considering that the Petitioners' writ petition seeking a fee hike is pending consideration before the learned Single Judge, we feel that if the Appellant is saddled with the burden of paying arrears of 7th Pay Commission, it will lead to huge financial burden.*
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> *8. Considering that the issue involved in the present writ petition has larger repercussions, we order this appeal to be heard in the month of March, 2026.*
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> *9. Meanwhile, the Appellant shall re-fix the pay of the employees (Petitioners) (Respondent Nos. 1 to 32, except Respondent No. 4-Ms. Dolly Takkar, who is reported to have passed away) within a period of two weeks from today. These Respondents shall be paid the revised pay as per 7th Pay Commission w.e.f. 01.12.2025. However, the arrears of enhanced salary w.e.f. 01.01.2016 until 30.11.2025 shall remain stayed until the next date of hearing.*
>
> *10 The president of the D.A.V. College Managing Committee need*

not remain present on the next date of hearing.
11. List on 17.03.2026."

4. Mr. Anurag Lakhotia, counsel for Respondent Nos. 1 to 3, submits that Darbari Lal DAV Model School is an independent entity, though it functions under the same society. He further submits that the issue concerning implementation of the 7th CPC in unaided recognised schools is pending consideration in a large batch of matters before this Court. On that basis, he prays that the present petition be adjourned or listed along with the said batch.

5. He also submits that the Respondent School has not been permitted by the Directorate of Education to enhance its fee structure for the academic year 2026-27. Thus, unless such enhancement is permitted, the school will not be in a position to bear the additional financial burden arising from implementation of the 7th CPC.

6. This Court has considered the rival submissions. At this stage, the plea of financial difficulty raised by the Respondent School cannot, by itself, answer the claim of the Petitioners for pay revision, particularly when a similar contention has already been considered by the Division Bench in the proceedings referred to above. The Division Bench has drawn a clear distinction between the right of the school to seek fee enhancement and the claim of employees for revised pay. The apprehension of immediate financial burden has, however, been accommodated by staying the arrears while directing prospective payment of revised salary.

7. The attempt to distinguish the order passed in relation to Darbari Lal DAV Model School on the ground that it is a separate entity does not carry sufficient weight at this interlocutory stage. What is material is that both

schools are stated to be under the same society, the claim of the employees is of the same character, and the defence of the management rests on substantially similar financial constraints. In these circumstances, consistency in approach would require that the Petitioners are not denied comparable interim relief, particularly when the claim for arrears has, for the present, been suitably deferred.

8. The statutory foundation of the Petitioners' claim also cannot be overlooked. Section 10 of the Delhi School Education Act, 1973 mandates that the scales of pay and allowances of employees of a recognised private school shall not be less than those of employees of corresponding status in schools run by the appropriate authority. The Respondent School's objection, at this stage, is essentially founded on financial difficulty and non-permission of fee enhancement. That concern is sufficiently protected by deferring the arrears while directing prospective payment of revised salary.

9. Accordingly, the Respondent School shall re-fix the pay of the Petitioners in terms of the 7th CPC, notionally with effect from 1st January, 2016, within two weeks from today. On the basis of such re-fixation, the Petitioners shall be paid revised salary with effect from 1st December, 2025.

10. The arrears arising on account of such re-fixation for the period from 1st January, 2016 till 30th November, 2025 shall remain stayed pending further orders/final adjudication of the writ petition.

11. It is clarified that the aforesaid directions are interim in nature and have been issued having regard to the order passed by the Division Bench in LPA No. 240/2025, the statutory framework under Section 10 of the Delhi School Education Act, and the parity of circumstances placed before this

Court. Nothing observed herein shall be construed as a final expression on the question of arrears, interest or any other issue which may arise for consideration at the final stage.

12. Re-notify on 5th October, 2026.

CM APPL. 50394/2025 *(for release of three increments of Petitioner)*

13. Issue notice. Mr. Anurag Lakhotia, counsel for Respondent Nos. 1 to 3, accepts notice.

14. Reply, if any, be filed within a period of six weeks from today. Rejoinder thereto, if any, be filed within a period of four weeks thereafter.

15. Issue notice to the remaining Respondents, by all permissible modes, upon filing of process fee, returnable on the next date of hearing.

16. Re-notify on 5th October, 2026.

SANJEEV NARULA, J

MAY 12, 2026
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