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

+ **W.P.(C) 5911/2016**

SANJAY RAY AND ORS

..... Petitioners

Through: Ms. Geeta Luthra, Sr. Advocate with
Mr. V.N. Jha and Ms. Kamakshi
Gupta, Advocates.

versus

THE DIRECTORATE OF EDUCATION AND ORS Respondents

Through: Mr. Santosh Kumar Tripathi, ASC,
GNCTD with Mr. Shashank Tiwari,
Mr. Arpit Bisht and Ms. Shivangi
Singh, Advocates for R-1 & R-2.
Mr. Dinesh Agnani, Sr. Adv. with
Mr. Onkar Prasad, Adv for R-3 & R-4.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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24.09.2019

During the course of hearing, Ms. Luthra, ld. Sr. Counsel submits that issue agitated in the instant writ petition is only with regard to the financial upgradation of the petitioners. In her submissions, no financial benefits as per the Assured Career Progression Scheme have come to be remitted to the petitioners, who are the TGT and primary teachers. Mr. Agnani, ld. Sr. Counsel for respondent no.3 and 4 on his part drawing attention to the order dated 18.11.2013 passed in W.P.(C) 3869/1999 'Sanjay Ray & Ors. vs Govt. of NCT of Delhi & Ors.' as also the order dated 14.01.2016 passed by the ld. Single Judge in CONT.CAS(C) No.499/2014 'Sanjay Ray & Ors. vs R.C.



Jain & Ors.’ strenuously contends that as per the settlement arrived at and on the basis whereof directions came to be issued by Id. Single Judge on 18.11.2013 in W.P.(C) 3869/1999, the petitioners are not entitled to the relief as is sought to be pressed.

Prima facie in the order dated 18.11.2013 there is no reference as regards the settlement or waiver of any claim of the petitioners as regards the Assured Career Progression Scheme. May be, from after the date of the settlement arrived at and in pursuance whereof directions came to be given by Id. Single Judge on 18.11.2013, the financial upgradation as per the Assured Career Progression Scheme is available. Picture on facts would however be still unclear.

Taking into account the totality of facts and circumstances, it is therefore directed that the petitioner shall file a specific affidavit giving details of their appointments, the break in service, if any; and, any promotion, in the first instance. Such affidavit be filed within four weeks from today. Response thereto, if any, may be filed five days before the adjourned date.

List on 14.01.2020.

A. K. CHAWLA, J

SEPTEMBER 24, 2019

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