

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).25303/2013

(From the judgement and order dated 12/03/2013 in LPA No.681/2008 of The HIGH COURT OF DELHI AT N. DELHI)

SAMARTH SHIKSHA SAMITI & ORS. Petitioner(s)  
VERSUS  
BRIJ BALA GUPTA & ANR. Respondent(s)

(With appln(s) for exemption from filing O.T. and with prayer for interim relief and office report)

Date: 16/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Puneet Taneja, Adv.  
Ms.Shweta, Adv.

For Respondent(s) Mr. Satish Kumar, Adv.

UPON hearing counsel the Court made the following  
O R D E R

This petition is directed against order dated 12.03.2013 by which the Division Bench of the Delhi High Court dismissed the letters patent appeal filed by the petitioners and upheld the order passed by the learned Single Judge, paragraph 25 of which reads as under:

"25. A mandamus is issued to respondent No.1 to place the petitioner in the senior scale of TGT/Head Mistress as per the circular dated 12.8.1987 with effect from 1.7.1993. Benefit of the replacement scale with effect from 1.1.1996 i.e. when the recommendations of the Vth Pay Commission were implemented would also be give. Arrears would be calculated and paid to the petitioner by the respondent within 12 weeks of the date of this order. Petitioner is held

entitled to interest @ 6% p.m. on the amount which would be payable each month to the petitioner with effect from 1.7.1993 from the date the differential amount becomes due and payable pursuant to the present order till date of payment."

We have heard learned counsel for the petitioners at length and carefully perused the record.

In our opinion, the detailed reasons recorded by the learned Single Judge and the Division Bench of the High Court for holding that respondent No.1 is entitled to senior scale of pay with effect from 1.7.1993 are legally correct and the judgment under challenge does not suffer from any legal infirmity requiring interference under Article 136 of the Constitution.

The special leave petition is accordingly dismissed.

The petitioners are allowed two months' time to implement the direction given by the High Court. A report showing compliance of the direction given by the learned Single Judge of the High Court should be filed in the Registry of that Court at the end of 9 weeks. The matter shall thereafter be listed before the concerned Bench. If it is found that the

petitioners have failed to comply with the direction given for grant of senior scale of pay to respondent No.1, then proceedings shall be initiated against the defaulters under the Contempt of Courts Act, 1971.

A copy of this order be sent to respondent No.1 at the address mentioned in the memo of special leave petition.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master